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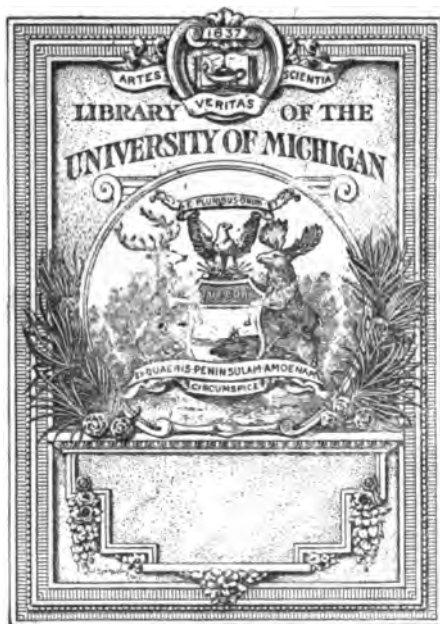
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HISTORY  
OF  
**The Inquisition**

FROM ITS ESTABLISHMENT IN THE TWELFTH CENTURY  
TO ITS EXTINCTION IN THE NINETEENTH.

BY  
WILLIAM HARRIS RULE, D.D.

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*The Son of Man came not to destroy  
men's lives but to save them.*

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**VOL. I.**

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## PREFACE.

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I HAVE endeavoured to lay before English readers a clear account of the Inquisition, collected from authentic sources, free from error, and without exaggeration. The present work, in two volumes, could not be correctly described as a mere enlargement of my History published in the year 1868, but is the result of a searching revision and repeated study, with the incorporation of much new matter, the addition of some entirely new chapters, and an improved arrangement of the whole. It has not been necessary to cancel any statement on account of inaccuracy, but here and there a paragraph is omitted because no longer necessary, and often a full description supersedes a brief or incidental notice.

“The sources of information are duly acknowledged; and as, happily, there never was an English Inquisition, not even in the worst of times before the Reformation, those sources are almost all foreign, except where the sufferers were English, of whom information was sometimes received in this country through English channels. With extremely few exceptions, the authorities are found within the Church of Rome, and sometimes they are even the Inquisitors themselves. Every statement, for example, of laws

and customs has been directly taken from Eymeric and his continuator, or from original manuals and instructions. The very words of the original documents have often been preferred to any others, except so far as other statements were necessary to the history.

“Many harrowing narratives might have been repeated that are entirely omitted because they are not satisfactorily authenticated, or bear internal marks of imperfect information. Many deeds of darkness are passed over in silence, because it is a shame even to speak of some things that were done in secret; and to lay bare the immoralities of Inquisitors and Confessors is, to say the least, an offence against public decency that cannot be too steadily discouraged.

“The reader will not find more than is promised in the title-page. Not persecution in general, not the administration of Canon Law in cases of heresy by prelates or ecclesiastical courts, but the acts of Inquisitors only. It must be remembered that while all churches that have lost the Spirit of Christ are given to persecute, no church on earth, except the Church of Rome, has ever had a separate institution for the inquest and punishment of heresy, with a peculiar code of laws and appointed courts, judges, and officers. This, and this only, is the INQUISITION.

“By observing the chronological order of events, and by separately treating the Inquisitions of France, Spain” (the Netherlands,) “Portugal, and Italy, with the Spanish and Portuguese colonies in America and India; and marking Rome as the central seat of

inquisitorial administration; the progress, the policy, and the decline of this institution appears on the very surface of the narrative, without any necessity for extraneous disquisition; while its history and decay in each country tends to confirm and illustrate the like history in the others, adding to the distinctness and heightening the variety of the whole picture.

“In spite of all efforts to impart uniformity to the practice of the several courts, according to the standard first laid down by Eymeric” (subsequently enlarged) “and always recognised by the Supreme and Universal Roman Inquisition, the distinctive character of the several courts has ever proved unconquerable.

“The Italian Inquisitor was refined and statesman-like, rather sympathizing with Loyola than with Torquemada, conceding much to Venice, revelling in merciless cruelty in Rome without inviting observation from without, and therefore with little scandal, and almost without passion, except; perhaps, in Naples, and now and then in any Italian state that made resistance, whence he would make a precipitate retreat to await the time for a sure and terrible return. Throughout all Italy the Court of Rome adapted its general policy to the condition of the several States, which it kept as much divided as possible from each other, that it might the more easily hold them all in subjection to itself. The Inquisition of the Cardinals did not so rudely confiscate. Their Eminences were more far-seeing and commercial. They would not so readily annihilate a family by confiscation and infamy; but they would make more out of it by fining the survivors of their victims.



“The Spaniard, on the contrary, was hot, vengeful, improvident. He was like one of those Babylonian tyrants, who were used to have public furnaces and common dens; and, after casting the offenders into the dens, or burning them in the furnaces, would make their houses dunghills, and blot out their names.

“The Portuguese was a Spaniard very deeply vulgarized. He could not be more cruel, but he was more disgustingly brutal in his cruelty. Not content to burn his heretic out of the way, he preferred to roast him for hours over a slow fire, that he might treat himself and the public with a sight of long-protracted human anguish in its several degrees of horror.

“The Indo-Portuguese was not less inhuman, but more self-indulgent. The heat of India would not suffer him to wait at the spectacle too long, and therefore the heretic was put to death more quickly. He had the military pride and the languid haughtiness of a colonial official, in but a slightly responsible position.

“In South America the offices were in the hands of loose and low-minded individuals, who could not carry on their operations permanently on a grand scale, because they had not sufficient strength of character to keep their secret perfectly, or even to enforce their prison-discipline; nor had the magistrates power to put down the rising vengeance of the irritated colonists.

“Everywhere the national spirit, whether for better or worse, imparted character to the Inquisition, until Inquisitors, like other men, gave way in process of time to the progress of national feeling. So in Spain:

long before the tribunals fell, there were humane and enlightened Inquisitors who shut their eyes and stopped their ears against malevolent informers; and a Villanueva, while nominally a QUALIFIER of the Holy Office, on being appointed to expurgate and suppress good books, would stand forth as a learned and eloquent advocate of translating the Holy Scriptures into languages that all the world might read. Llorente, too, Secretary of the Inquisition in Madrid, instead of tormenting his fellow-creatures, was studying the archives of the Metropolitan and Provincial Courts, and in due time gave the freest utterance to his abomination of the office he filled, in that valuable work which has contributed largely to the chapters on Spain.

“Two great forces grew up together for the overthrow of the Inquisition, Civil freedom and the spirit of Nationality. The ascendancy of freedom, promoted as it is, and guided as it ever must be, by true and living Christianity, incapacitates men from lending themselves to be accomplices in a perpetual outrage on human nature. A rapid revival of nationality leads to the repudiation of an ecclesiastical system that has for ages trampled upon all social rights. National interests gain a strength before which alien pretenders must give way. The intrusion of a foreign jurisdiction must at last become impossible.”\*

Immediately after the publication of my former work, a Revolution overthrew the throne and broke up the Tribunal of the Faith in Spain. Next came the final unification of Italy, and establishment of a Constitutional government over all Italy, with the instant annihilation of the Holy Office in Rome; and now

\* Repeated from the Preface of 1868.

I am no longer predicting a speedy extinction of it everywhere, as when I wrote my last preface, but have the happiness of recording the accomplished fact. I can again rejoice that the History of the Inquisition is written, with the additional satisfaction that it is written *to the end*, and thank God that I have been spared long enough to write it. No other Englishman that I know has pursued it consecutively from first to last, and taken his view of the entire field, and the favourable reception of my former contribution to this department of ecclesiastical literature encourages the expectation that this also may find welcome.

W. H. RULE.

PLYMOUTH, *January*, 1874.

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PALACE OF THE INQUISITION, ROME .....	<i>Frontispiece</i> , Vol. I.
FRANCISCO XIMENEZ DE CISNEROS .....	<i>to face page</i> , 154
BARTOLOMÉ CARRANZA .....	p. 236
THEATRE AT THE FESTIVE AUTO OF 1680 .....	p. 290

(Translated from the *esplanacion* of Del Olmo.)

- A. Balcony where their Majesties were seated.
- B. Throns of the Lord Inquisitor General.
- C. The highest step, where were the Councils: that of the *Inquisition* in the middle, with *the Tribunal of the Court* at its side, and then the Inquisitors of *Toledo*, all forming one body. On the right the Royal Council of Castile, and on the other side the Council of *Aragon*. And on the first step of the stairs, where his Eminence (the Inquisitor) went down to receive the Oath of His Majesty, on the right of the Lord Inquisitor General, a seat where was the Lord Marquis of Malpica; and on his left hand on the same step of the stairs, the Fiscal of Toledo, having the standard of the Faith in his hand.
- D. Second step. The Council of Flanders in the middle, on the right hand that of Italy, and on the left that of the Indies.
- E. Seat for the Villa of Madrid on the third step.
- F. Where the Lord Marquis of Malpica was in the year 32, as appears from the plan and alphabetical list which is in the Secretary's Office of the Council of the Inquisition.
- G. Where the Fiscal of Toledo was in the year 32, with the standard of the Faith in his hand, as appears in the alphabetical list of the plan which is in the Secretary's Office of the Council of the Inquisition.
- H. Fourth and fifth steps for Grandees and Titles. Although there were few on them, they having seated themselves on benches nearer the chairs (*cátedras*) to hear the sentences.
- I. Qualifiers, Consultors, and Commissaries.
- L. Benches on the level with the Commissaries and Ecclesiastical Notaries, for whom there was not room to be had on the steps.
- M. On the highest step, in the third place on the left hand of the Throne, and after the Fiscal of the Council, the Alguacil Mayor of the Council, who could not be present because he was sick, and this is declared that he may not suffer any prejudice on that account.
- N. The Alguacil Mayor of the Tribunal of Toledo.
- O. Benches of the Secretaries of the Councils and Ministers of the Supreme.
- P. Benches where was the Secretary of Toledo, with other Secretaries of the Supreme.

- q. Benches where was the oldest Secretary of the Court, with some Secretaries and Ministers of the Supreme. And on these benches, and in the space between the chairs where the sentences were read, the Mayordomos of St. Peter Martyr of Madrid and Toledo had their seats.
  - r. Stairs where the Lord Inquisitor General went up to his Throne.
  - s. Stairs where the Councils went up.
  - t. Private stairs for the habitations of the first floor of the Plaza.
  - v. Place where the Standard in the Procession of the Crosses was fixed.
  - x. Altar and Celebrant.
  - y. Pulpit for the Sermon.
  - z. Place where the causes and sentences were read.
  1. Buffets for the boxes containing the causes of the criminals.
  2. Seats for the Alcaydes.
  3. Cages in which the criminals heard their sentences.
  4. Stairs up which the Lord Inquisitor General went to receive the oath from the King.
  5. Stairs by which the Councils entered the Theatre.
  6. Court for His Majesty's Guards.
  7. Court and Chambers for the Familiars and Ministers of the Tribunal.
  8. Stairs by which the procession of criminals entered, taking the ways indicated by dotted lines.
  9. Stairs by which the Religious, the Ministers, and the Criminals went up to take their seats.
  10. Benches for Familiars. Many gentlemen being Familiars occupied these seats.
  11. First and second steps for them that were condemned to be given over for death.
  - 12, 13, 14, 15, 16. Here were the others under penance.
  17. Private stairs.
  18. The Halberdiers of the Lord Marquis of Pobar and Malpica keeping the stairs' door.
  19. Stairs by which entered the criminals, at whose table were the Spanish and Tudescan Guards.
  20. Soldiers of the Faith.
  21. Bannisters of the stairs, breast-high, on which were fixed the effigies.
  22. Place for the *Tenientes*, civil officers so called, of the Villa of Madrid.
- CHURCH OF ST. MARY, *SOPRA LA MINERVA* .. *Frontispiece*, Vol. II.  
 CHARLES V., EMPEROR ..... to face page 12  
 AONIO PALEARIO ..... p. 204  
     Underneath the portrait of Paleario are three lines of broken Latin, intended to mean:—  
     1. Aonio Paleario, second after Cicero as a speaker of Roman language  
     2. Appearing (to be) implicated in the errors of heretics was burnt up in fire  
     3. Saint Pius V. being seated (on the throne) he perished at Rome in the year MDLXIX.
- FRA PAOLO SARPI ..... p. 216









PALACE OF THE INQUISITION: ROME.



# HISTORY OF THE INQUISITION.

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## CHAPTER I.

### BEGINNINGS IN THE TWELFTH CENTURY.

THE beginnings of that kind of organised persecution in Christendom which is properly called *Inquisition*, may be traced with sufficient clearness in the records of the twelfth century; but the precedents and legal sanctions were established long before. The first imperial patron of Christians, Constantine the Great, could not be fairly described as a persecutor, but rather as a benevolent and liberal Sovereign; yet, educated in heathenism, he thought it quite right to employ repressive measures for the extinction of the idolatry he abandoned—measures which the Pagans complained of as unjust, but could not reasonably regard as cruel, in comparison with the hostilities they waged with each other, and the sanguinary vengeance anciently wreaked upon Christians by the votaries of those false gods whose worship was now interdicted by a Christian Sovereign.

Constantine, as a matter of course, discouraged freedom of utterance where such freedom was, in his judgment, inexpedient, and liberty of worship was eventually denied to idolaters and heretics. His Edicts, or Constitutions, became part of the civil law of Europe. No fewer than seventy-two such laws, made by Constantine and his successors, for the punishment of

controversialists and heretics, with many more against Jews, Samaritans and Pagans, may be found in the Theodosian Code,\* and they show how diversities of religious opinion were to be prevented, and the teachers crushed. Confiscation, banishment, and death were the penalties to be inflicted for breach of what Romanists are pleased to call "Catholic Unity."

Pope Alexander III., elected in the year 1159, was, soon after his election, driven from Rome by the anti-Pope Octavian, and came by sea to France; for land travelling, in time of schism, might be more thickly beset with danger than a tempestuous voyage on the uncertain Mediterranean. Henry II. of England, who was at that time in Normandy, and Louis VII. of France—both being within Alexander's obedience—hastened to bid him welcome, and led him in state on horseback through the town of Conci, on the Loire, one monarch walking humbly on either side, and each holding the horse's bridle. Thomas Becket joined the party; he had just been made Archbishop of Canterbury, and was, as yet, on good terms with the King his master. *Two or three* years earlier, some confessors of Christ were, as I believe, the first to suffer death for His sake, in England, at the hands of men called Christians.† About *sixteen* years before this assemblage (A.D. 1143 *circ.*), Bernard—eventually sainted for his cruel services—came into Languedoc to lead a crusade against the Albigenses. The King of England has now meekly kissed the Pope's foot, and, not presuming to occupy a chair in his presence, sits down with his barons on the floor, in the Abbey of Bourg-Dieu. Thus abject could Englishmen be in the twelfth century.

\* *Codex Theodosianus, cum perpetuis commentariis* JACOBI GOTHOFREDI. The copious annotations of Gothofredus on those portions of the code which relate to heretics, magicians, pagans, etc., are in themselves a history of the legal persecutions carried on by the Christian emperors, from Constantine in 326 to Theodosius the younger in 435.

† *Guil. Neubrigensis*, lib. ii., cap. 13.

There had been a great religious awakening in the provinces now included in the South of France and North of Spain; and although Pope Alexander had enough to do in defending himself against his competitor, whom the Emperor of Germany, with nearly all Italy, supported, he thought it expedient to keep up the popular fury of zeal against heretics, and in order to do this most effectually, graciously convened the clergy to his council, but threatened the abject laity, princes and people both included, with the effects of his displeasure if they failed to execute the sentence of his counsellors on heretics.

One of his first acts, in conjunction with the French prelates, was to declare that every secular prince who failed to employ his power for the punishment of heretics caught within his jurisdiction, should be considered as himself a heretic, and bound under curse together with them.\* Then he called a Council to be holden at Tours, on the 29th day of May, 1163.

On the day appointed, seventeen Cardinals, a hundred and twenty-four Bishops, four hundred and fourteen Abbots, with a great number of priests and laity, assembled in the Church of St. Maurice, having their own Pontiff on his throne. The clergy were chiefly French and English—since only France and England unanimously acknowledged Alexander to be Pope—with a very few from Italy. Arnoul, Bishop of Lisieux, at his command, delivered a sermon concerning the several interests of the Church, smooth and plausible, with scarcely any reference to the persons whom it was intended to make victims. Forthwith began the business. During the sitting of this Council, Thomas, Martyr of Canterbury, as Romanists now call Becket, came to Tours. The Cardinals went out to meet him, and conducted him processionally into the city, which was a very unusual honour. Becket

\* *Concilium Mompeliense*, A.D. 1162.

forthwith took part in the business of the Council, but left before its close, being much occupied with the affairs of his new dignity in England. Still his heart was with the Council; whether or not he was present when a prohibitory decree was voted, the English priests were there, both he and they undoubtedly concurred heartily, and we confess, with sorrow, that representatives of England took part in the first solemn act of the Church that can be called inquisitorial.

When we say *inquisitorial*, we speak with reference to the peculiar forms, rather than to the principles, of the Inquisition. The flames of persecution had been raging for more than six hundred years before the Council of Tours. Reputed heretics had been hunted down and slaughtered, but were not yet treated as subjects of secret judicial inquest. Soldiers were employed to extirpate heresy with fire and sword, and magistrates administered the laws of Justinian and his successors, or other laws like them, in open Court; but a secret ecclesiastical court, with tonsured judges, was as yet unknown. Therefore the historian must carefully distinguish between persecution in general, and that peculiar method of persecution which now receives the name of "inquisition." By adhering to this distinction in the present volumes, many flagrant persecutions will be passed by without notice. The history of "Military Persecution" must be sought elsewhere.

"A damnable heresy," say the fathers, "has broken out of late in the parts of Toulouse, gradually spreading itself, like a cancer, into neighbouring places, and it now infects great numbers in Gascony and other provinces." Then, after descanting on the insidious and destructive character of the new heresy, they proceed to "command the Bishops, and all the Lord's priests dwelling in those parts, to keep watch, and under peril of anathema to prohibit that, where followers of that heresy are known, anyone in the country shall dare to afford them refuge, or to lend them help.

Neither," say they, "shall there be any dealings with such persons in buying or selling; that, all solace of humanity being lost to them, they may be compelled to forsake the error of their life. And whosoever attempts to contravene this order shall be smitten with anathema, as a partaker of their iniquity. But they, if they be taken, shall be thrown into prison by Catholic princes, and be deprived of all their goods. And forasmuch as they frequently assemble together from various parts, into one hiding-place, and have no reason—except their error—why they should abide together, but yet dwell in the same abode, let such conventicles be closely searched; and if the persons be found guilty, let them be restrained with canonical severity."\*

To prohibit assemblage was easy. To disperse assembled congregations was not so easy. To put those faithful preachers to silence was not yet possible, and there were other preachers whom the conciliar decree did not reach. Seeing that the forbidden doctrines were not only taught in conventicles, but proclaimed from the pulpits, Alexander applied himself to put an end to so grave a scandal, and convoked a multitude of scholastics and others, by courtesy, perhaps, called learned men, to meet him in Paris. Three thousand or more, as was reported, obeyed the summons, and came together on Christmas Eve, 1164, to receive the instructions of their chief. Alexander came in State, surrounded by his Cardinals, and told them that he had heard of many various opinions being in circulation among the French-born clergy all over the country; wherefore he condemned and interdicted all figurative discourses, and all unlearned questions in theology, and commanded the Bishop of Paris, on his obedience, to suppress all such throughout France.†

The command to suppress all unauthorised opinions

\* *Concilium Turonense*, A.D. 1163.

† *Conventus Gallicanus*, A.D. 1164.



presupposed an authority and a power which did not yet exist, and the idea of a Tribunal to enforce the Pope's pleasure was not yet suggested, so far as we can see. It therefore now remained for the clergy to find out the elements of some skilfully-concerted system of procedure, with ample precautions of defence and secrecy. Such a tribunal did not yet seem attainable, but the want of it must have been sorely felt when the Bishop of Albi, with several other prelates, undertook to dispute openly with the Albigenses—called by the people “Good Men”—of Narbonne.

In the presence of nearly all the inhabitants of Lumbers and Albi, and the surrounding villages, the Archbishop of Narbonne, the Bishops of Toulouse and a neighbouring diocese, several Abbots and inferior priests, some Priors and an Archdeacon, some laymen of rank, with the Countess of Toulouse and other ladies, the heretics were interrogated as to their faith. The details of this event are of the highest interest, but they belong to general history. For our present object it is enough to state that, after their very solemn publication of the forbidden doctrine, the *good men and women* were condemned, and sent away for punishment in the custody of the soldiers of Lumbers, who had brought them to the place of trial.\*

It is said that the Count of Toulouse, unable to prevent the spread of the new doctrine, implored help of Henry of England for putting his heretical subjects to silence; that Henry had correspondence with the King of France on the subject, and that the two kings intended to come to Toulouse together in 1178, and do their best. On second thoughts, however, they concluded that it would be better to send preachers to address the people, and convert them by force of argument. Having communicated with the Pope, Alexander III., and received his approval of their plan, they appointed Cardinal Peter, of Chrysogonus,

\* *Concilium Lumbarense*, A.D. 1176.

Legate in France; Guarin, Archbishop of Bourges; Reginald, Bishop of Bath; Jean de Belles-mains, Bishop of Poitiers; Henri, Abbé de Clairvaux, and several others, to undertake the task of peaceable conversion. Yet, not allowing themselves to trust in conference alone, the kings enjoined on the Count of Toulouse, the Viscount of Turenne, and Raymund of Castelnau, to give the preachers help with strong hand, and in every other way conceivable assist for driving out the heretics from every part of their dominions. Certainly there was no argument to be relied upon of sufficient strength for dislodging heresy. Toulouse was the high seat and centre of evangelical influence, and both clergy and people were equally under its power. But they found no cordial reception. People received them with angry salutations of "Apostate! Heretic! and Hypocrite!" The Cardinal Legate tried to preach, but they would not hear him. He summoned the good people to come and recant their errors, but they would not come. Mortified with their resistance, he commanded the Bishop of Toulouse and others to collect the names of the contumacious, and communicate them to himself to be dealt with as heretics. They did so; denouncing one of the chief laymen of the city, Pierre Mauran, reported leader of the sect. He was an aged and much respected man, possessing great wealth, and eminently pious. He had two mansions, one in the town and one in the country; where he held meetings at night, and himself preached to numerous congregations. They resolved to make an example of him first, and the Count summoned him by apparitors, but he refused to appear. Next day the Count sent for him again, and at length he came, and declared himself to be a true Catholic, using the word Catholic in its original and proper sense. The Count threatened and caressed by turns; but when neither threats nor soft words moved him, he took him to the Legate and his colleagues.

One of the commissioners accosted him with a direct

accusation. "Peter, your fellow-citizens say that you have abandoned the true faith, and embraced the Arian heresy, and that you have not only fallen yourself, but drawn away others into numerous errors." Mauran, heaving a deep sigh, declared that this was false; for that he was no heretic, but a true Catholic. They pressed him to swear to this, but he refused; declaring that he was an honest man, whose word ought to be trusted. Again they pressed him hard to swear, and, from unwillingness to be set down for a heretic, although from an objection to the oath itself, or a reluctance to take an oath at all, he had refused at first, he now gave way to their demand. Then they brought out the "holy relics" with great ceremony, and the hymn *Veni Creator Spiritus* was sung. Pale and agitated, Mauran promised to answer, on oath, their interrogations on all the articles of faith. They questioned him on "the Sacrament of the Altar," and he answered, that the bread after consecration still remained bread. They asked no more. That one answer was enough. They gave him over to the Count, who sent him to prison, confiscated his goods, and ordered his two houses to be demolished.

All Toulouse was in alarm. Mauran, as the narrator says, gave way, was brought out bare-foot and half naked as a guilty penitent, fell down before the Legate and supplicated pardon. They gave him pardon, but seized all his property; ordered him to leave on crusade for Jerusalem within forty days; be there for three years serving the poor, and promised that if he returned after that time they would give him back his property, *except the houses*, which were to be razed to the ground, because of the heretical meetings which had been held in them. Before going to Jerusalem he was to pay penitential visits to several churches in Toulouse, be flogged all the way on his naked shoulders, pay a fine of 500 *livres pesant* of silver to the Count, his Lord; restore what they said he had taken from the

churches, and pay a multitude of fictitious damages. They bound him by oath to do all this.\*

After spending a considerable time in the province of Toulouse, the Legate resolved to excommunicate all the heretics who had been denounced, as well as all who were suspected of being associated with them. The Abbot of Clairvaux then asked permission to leave, that he might hold a general chapter of his order. The Legate gave him permission, on the condition that he should first go to the Albigenses with the Bishop of Bath, and exhort the Prince of the country, *Roger de Beziers*, to release the Bishop of Albi, whom on some account he had imprisoned, giving him heretics for keepers, and to drive all heretics out of his dominions. The Bishop of Bath and the Abbot of Clairvaux went accordingly, with two others. Roger, hearing of their approach, fled into some remote hiding-places, in hope of avoiding a disastrous conference, like that of Toulouse. When the two prelates arrived at Castres, one of the strongest places of that country, they found Roger's wife and family, guarded by a body of troops, and so far protected from their violence; but they preached to the people, declaring that Roger was a traitor, a heretic, and a perjurer for having violated—as they said—the surety he had promised to the Bishop of Albi. They excommunicated the Count, and declared war against him in the name of Jesus Christ, the Pope, and the Kings of France and England. This was done with all possible solemnity in the presence of his wife and his cavaliers. Finally, the Count of Toulouse and grandees of the provinces were sworn before a public assembly, in presence of the Legate, not to favour heretics in any way. His Eminence and the rest departed, their mission being accomplished.†

The next General Council was holden at Rome in the "Mother Church of the Lateran." At this Council

\* VAYSETTE. *Histoire Générale de Languedoc*, liv. xix., chap. lxxiii.

† *Ibid.*, chap. lxxv.

Alexander, having so far overcome his antagonist as to be able to return from France to the seat of Papal Government, presided on a lofty throne, surrounded by the cardinals, prefects, senators and consuls of the city. In three solemn sessions of this Lateran Council the affairs of the Papacy were brought under review. Many canons were framed. Amongst others we find one that renewed the regulations of Tours in respect to heretics; named certain sects most obnoxious to the Roman Church, and determined that all who bestowed even the least kindness on sectarians should undergo equal punishment with the sectarians themselves; that persons *relaxed*, that is to say, informed against as being guilty of heresy, should be outlawed.\* The word *relaxatos* should be noted, because it does not, in the peculiar vocabulary of the Holy Office mean what it would mean anywhere else. It does not mean released, but is repeated in the Spanish *relaxado*, that is to say, *delivered over* to the Inquisitors, and no more to be held under the protection of any power in the world. In the acts of this Council we see remotely indicated the part to be taken in after times by familiars and *delatores*, or informers against heretics real or suspected. The concurrence in the Lateran of the secular officers with the ecclesiastical gave another weighty precedent for their union in the exercise of inquisitorial jurisdiction.

A passage of history now occurs wherein we observe an instance of the confusion between the notions of heresy and crime, a confusion which might sometimes be inevitable when heretics were only such by the adoption of wild or wicked notions, or it might be made wilfully for the sake of bringing discredit on good men. We also find the probable commencement of the horrid custom of burning heretics alive.

The continuator of Baronius, in the year 1183, quotes Antonius for a statement that in that year a

\* *Concilium Lateranense III.*, A.D. 1179.

multitude of coterelli, or brigands, were killed by the people of Flanders\* in revenge for their atrocious outrages on women, burning down churches, torturing priests, flogging to death or making them prisoners until ransomed with large sums of money. They also desecrated and robbed churches, breaking the sacred vessels, and trampling under foot the consecrated bread. These people were called *heretical brigands* (Coterelli hæretici), and the inhabitants after they had killed seven thousand of them, appealed to King Philip II. who sent an army that slaughtered the Coterelli to the last person, not sparing man, woman or child, and departed rich with spoil. This is but a passing glance at a long and terrible conflict in which their Church was attacked by the people; but after the Church had destroyed people because of heresy, what wonder if there followed a murderous reaction?

Pagius quotes again from another source that, in the same year, just after Christmas, William, Archbishop of Rheims, and Philip, Count of Flanders, met for private consultation. A woman had given information against some heretics in the country. Those heretics had no leader, and were called by various names, such as Manichees, Cataphrygians, or Arians. Pope Alexander said they were Patervians (*Paterini*). Many were brought into the presence of the Archbishop and the Count—a mixed multitude of persons of all ranks, from noble to ignoble, clergymen, soldiers, rustics, maidens, widows, married women. The Archbishop and the Count decreed that they should be taken and cast into the fire, and their property given to the Priest and to the Prince. Rigord adds a note:—  
“In this year many heretics were burnt alive, in Flanders, by the Reverend William, Archbishop of Rheims, Cardinal presbyter of the title of St. Sabina, Legate of the Apostolic See, and by the Illustrious Philip, Count of Flanders.

\* . . . in provincia Bituricensi.

Not only in Flanders and Toulouse, but in Italy, there was revolt against the Church. The Romans rebelled, and once more drove the Pope out of Rome with every expression of indignation and contempt. He wandered from city to city, taking shelter in towns and castles, which he fortified as best he could. A savage war raged on both sides between Pope and people. Of course there was heresy, and heresy of every conceivable variety.

Lucius III. was now the fugitive. He held a Council at Verona, at which the Emperor Frederick was present, and therein condemned all heretics, and smote them with a perpetual malediction, including under his curse all unlicensed preachers, and all who taught differently from the Church of Rome concerning the eucharist, baptism, remission of sins, and other chief points of doctrine. "And because the severity of ecclesiastical discipline is sometimes despised by those who do not understand its virtue, we ordain," says the decree, "that they who are manifestly convicted of the afore-said errors, if they be clerks or religious persons, shall be divested of every order and benefice, and given over to the secular power, to receive suitable punishment, unless the culprit, as soon as he is discovered, shall make abjuration in the hands of the Bishop of the place. In like manner the layman shall be punished by the secular judge, unless he makes an abjuration. They who are only found suspected shall be also punished, unless they can prove their innocence by a suitable purgation; but they who relapse after abjuration or purgation, shall be left to the secular judgment without being heard again. The property of condemned clerks shall be applied, according to law, to the churches that they served. This excommunication against heretics shall be renewed by all bishops on the great solemnities, or when occasion presents itself, under penalty of suspension from their episcopal functions for three years. We add, by the advice of the bishops, and on the representation of the Emperor and

the lords of his court, that every bishop shall visit, once or twice every year, himself, or by his archdeacon, or by other qualified persons, those parts of his diocese where it is commonly reported that heretics are living, and shall swear in three or four men of good character, and even, if he thinks it desirable, all the people of the neighbourhood, binding them, if they can discover where there are any heretics, or persons who hold private meetings, or that lead a different life from the faithful in general, to denounce such persons to the bishop or the archdeacon. The bishop or the archdeacon shall then call the accused before him, and if they do not clear themselves, and follow the custom of the country, or if they relapse, they shall be punished by the judgment of the bishops. But if they refuse to swear, they shall at once be judged heretics.”\*

Barons, governors, consuls, and all other secular authorities had already been commanded by the Pope to render effectual aid for the detection and punishment of heretics and their accomplices, whenever called upon so to do, under penalty of excommunication and interdict. “All the abettors of heretics shall be branded with perpetual infamy, and, as such, excluded from being advocates or witnesses, and from discharging any public functions.”†

This distinctly foreshadows the future institution. Civil and ecclesiastical functionaries have now full instructions for the extirpation of heresy. Various degrees of heresy in persons suspected, convicted, penitent and relapsed, are marked, and the Church is to be avenged by a corresponding scale of penalties on her offending children. Thus, after the Church has spent her spiritual weapons, she leaves the subjects of her displeasure to be more signally punished by the secular arm. This is the theory of inquisitorial administration; and although the tribunal was not yet finally erected, we may safely say that during the

\* *Concilium Veronense*, A.D. 1184.

† *Lucii III. Epist.*, A.D. 1183.



period of twenty-one years, from the Council of Tours to that of Verona, the general principles were settled. Thenceforth it only awaited the usual process of legislation and experience to reach the horrible perfection of the sixteenth century. The foundation of the Inquisition, I must now say, was fairly laid by Lucius III. I once attributed this work to Innocent III., but further consideration compels me to give Lucius the unenviable honour, while it must be acknowledged that no one so greatly accelerated the process of complete construction as Innocent.

Our sketch of the preparatory measures that were taken by Popes and Councils in the latter half of the twelfth century may serve to strengthen the demonstration that the Institution to be described in the following chapters was the natural outgrowth of the system of sacerdotal policy which it was established in order to maintain. It did not originate in any single mind. It was not intended to meet a merely local or temporary exigency, and it is worthy to be noticed attentively that no Church but that of Rome ever had an Inquisition.

Whatever may be said of the power of this Church, and its beneficent influences during the dark ages, the mutual jealousy of priests and people, the overbearing tyranny of the Popes and their Court, the strifes and wars of Antipopes, and the boundless ambition of the clergy are imprinted so clearly on the face of history as to indicate the need of some institution for the suppression of discontent in any or every province of the Poppedom — some all-pervading agency, everywhere active but nowhere conspicuous — that should subdue each opponent as he rose, strike dread into every soul, and put every complaining voice to silence. The Roman hierarchy were far more concerned for the overthrow of their enemies than for the maintenance of their creed, such as it was; and the Holy Office was rather a shield of defence against rebels than a protection from heretics. The reason of its erection was most cer-

tainly political rather than religious. Some strong domestic force was wanted for the defence of the priesthood itself.

Before the Roman hierarchy could proceed to exercise an absolute judicial authority over the property, the liberty, and the life of its subjects in any part of Christendom, irrespective of character and station, making godliness itself a capital offence, they had many points to gain. After wondrous art and perseverance, they acquired an extensive territory in Italy, and had vast accumulations of landed property in every State of Europe. Not content with holding houses and lands, and gathering princely revenues from every possible source for their own enjoyment, under reasonable liabilities, and in submission to the laws, they had come to hold it all on such a tenure as was not allowed to lay proprietors, even the most highly privileged. They pretended to a *divine right* over estates which they had acquired by any means, by any artifice, not excepting forgery and violence. They engaged the civil authorities to support them in undisputed occupation, and punished the prince or magistrate who failed to satisfy their wishes in that respect. Such defaulters were exposed to the dire effects of anathema or interdict, which usually provoked sedition, or rebellion, or war. For themselves, they claimed exemption from the control of law.

At length the *Temporal Power* of the Pope was established in its terrible extent. The Patrimony of St. Peter, and other Papal States; lands in many parts of the world, every where held in mortmain; asylum; ecclesiastical immunity; Papal supremacy over kings, bishops, clergy, laity of all degrees; an assumption of power on earth to forgive sins, or to punish the sinners, and power beyond the grave to bind in pain, or to release imprisoned spirits; these were the real possessions and the monstrous claims which constituted a temporal power vast beyond calculation.

Until this power was attained, the Holy Office could not have had its dungeons at command; much less could it have invested an Inquisitor with power to take away one human life. This power shall be utterly abolished, the deadly effect will cease; but so long as a fragment of it remains in any part of the world, the Inquisition, though its name be ever so often changed, will hope to resume its deadly work, and may do so any day.

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## CHAPTER II.

## POPE INNOCENT III.

THIS Innocent should have been canonised and declared patron saint of Inquisitors; and, if one who knew him gave a true description of his person and qualifications, the artist might take for his picture a comely model. "He was a man of clear understanding and retentive memory; he excelled in divine and human learning, spoke well in common Italian and in Latin, sang songs and psalms well, was of middle stature and commanding aspect. He preserved the mean between prodigality and avarice; but gave away alms and food liberally, although sparing in other respects, except in cases of necessity. Severe towards the rebellious and contumacious, but kind to the humble and devout; brave and constant, magnanimous and astute; a defender of the faith and assailant of heresy; in justice rigid, and in mercy pious; humble in prosperity, and patient in adversity; in temper somewhat irascible, yet easily forgiving."\*

Passing from this very artificial eulogy to the writings of Innocent, I fail to discover any notable excellence in writing, either human or divine; and certainly his conduct betrays both irascibility and severity. Perhaps Matthew Paris, although moved to indignation by the conduct of this Pope towards England, told no more than the truth, when he described him as "beyond all other men ambitious and proud, an insatiable thirster after money, and ready and apt to commit any sin for a reward, or the promise of it."†

The records of his pontificate attest that he was

\* *Gesta Innocentii PP. III. Opp.*, tom. i. Migné, Parisiis, 1855.

† Inserted in WENDOVER'S *Flowers of History*, at A.D. 1214.

diligent; but they show that in nothing was he so diligent as in persecuting heretics. His eye fixed its searching glance on them in the remotest hiding-places of Europe; and he never failed to use the full advantage of his position to repress the slightest movement of reason or conscience, when reason or conscience presumed to stir under the absolute despotism of the priesthood. A brief review of his acts is the proper introduction, therefore, to a history of the Inquisition in the several countries where it was by him established in the old world, and in those to which it was afterwards carried in the new.

Scarcely had he announced his election when he unsheathed "the sword of Peter." The Archbishop of Auch, and his brethren the prelates of Gascony and neighbouring provinces, reported that their dioceses were in danger from the zeal of a multitude of preachers who revived ancient errors, as they said, and led astray the simple. To that archbishop, therefore, he sent authority to proceed against the preachers at his own discretion, employing such methods as might be thought most likely to extirpate heresy, and put out of the way all persons tainted with it.\*

After a few days' consideration he formally began the work which the study of eighteen years enabled him to reduce to system. Letters Apostolic, addressed to the Metropolitans of Aix, Narbonne, Vienne, Arles, Ambrun, Terracina, and Lyons, announced the mission of two travelling Inquisitors, the friars Rayner and Guy, invested with plenitude of power "to catch and kill those little foxes, the Waldenses, Cathari and Paterini,—foxes of diverse faces, but with tails tied together by a cord of common heresy, and sent by Satan with fire-brands of destruction into the vineyard of the Lord of Hosts." Rayner, if we may believe his master, was distinguished by learning; and Guy was pre-eminently benevolent. The prelates were

\* *Regestorum, sive Epistolarum*, lib. i., num. 81, April 1, 1198.

strictly charged to receive them with kindness, treat them with affection, and help them to turn heretics from the error of their way, or else to drive them out of the country. All that Friar Rayner might order, to be done with those who were considered the ministers of Satan and their followers, was to be entirely and humbly carried into execution. Princes, counts, and barons were commanded, with promise of remission of sins, to receive the two friars with equal kindness and devotion; to aid them mightily and manfully in executing vengeance on evil-doers; and, if any heretics would not repent after being admonished to repentance, Rayner was to bind them under sentence of excommunication; and then the princes, counts, or barons were to confiscate their property and banish them; or, if the culprits dared to linger on their native soil after commandment to depart, graver measures were to be taken.\*

Such, however, was the urgency of affairs, that the Pope resolved to commit France to the charity of Guy, while an encyclical informed the prelates and princes of all Popedom that Rayner, "mighty in word and deed," was gone to serve the Church in Spain.† Further credentials empowered him to exercise the functions of disciplinarian over the Spanish and Portuguese clergy, together with the unlimited jurisdiction of Inquisitor at large;‡ and to replenish his master's coffers by levying contributions on the sovereigns,—or, at least, on one of them, the King of Portugal.§ Similar powers enabled Brother Rayner also to visit and make inquisition in the churches and monasteries of France, after completing the service which had taken him to Spain, and to exact the active assistance of men in authority.||

To banish heretics from their homes might have

\* *Regestt.*, lib. i., cap. 94, April 21, 1198.

† *Ibid.*, cap. 165, Maii 13.

‡ *Ibid.*, cap. 395, Nov. 30.

§ *Ibid.*, cap. 449, Dec. 9.

|| *Ibid.*, lib. ii., capp. 122, 123, Jul. 12 et 7, 1199.

been enough for "the head of the Church on earth" to do, but he could not rest satisfied until he had hunted them to death. A large number of Paterini, driven from Italy by the Archbishop of Spoleto, had wandered into Hungary, and found pity at the hands of a barbarian, Culinus, Ban of Bosnia; who not only suffered them to settle among his people, but encouraged them to propagate their doctrines, and to assume the name of Christians. Hearing of this, Innocent caused a Brief, written in the strongest possible terms, to be despatched to Emeric, King of Hungary. Emeric was commanded to gird up his loins for action, and royally avenge the insult committed against Christ and Christians by such an assumption of that honourable name. Unless the Ban would instantly despoil the fugitives of any little property they might yet possess, and chase them in utter destitution from his territory, the King was commanded to make war upon Ban and heretics together, and hunt them down, and kill them indiscriminately. Then, with regard to the laws of Hungary, which were not severe enough to answer the present purpose, Innocent instructed the King, as a man of "great prudence and humanity," what penalties ought to be inflicted on heretics of various classes and degrees. Such were the penalties prescribed by law in the States of the Church; "And in other states," said the arrogant Pope-King, "*we have commanded the same to be executed by secular powers and princes; but, if they refuse so to do, we have commanded that they be compelled by ecclesiastical severity.*"\* We do not find, however, that Emeric condescended to obey the Bishop of Rome, or that Hungary or Bosnia received laws which soon became embodied in the code of the rising Inquisition.

Innocent had instructed the Archbishop of Syracuse to punish the Saracens in Sicily who renounced the

\* *Regestorum, sive Epistolarum*, lib. iii., num. 3, October 14, 1200. The scribes in the Lateran named the King of Hungary Hemmerad. Bonfinius, a better authority, calls him Emeric.

profession of Christianity forced on them in compulsory baptism by the German conquerors of the island.\* Those instructions had some force in Sicily; and perhaps his success there encouraged him to try his hand in Bosnia. But there the Holy Office could never be established; for, even in the dark ages, the power of the Roman See was confined within far narrower limits than its advocates would have us to believe. The Paterini, or "Christians," might therefore have kept their ground in Bosnia, but for the interference of Kalo-John, Emperor or King of the Bulgarians, who had transferred his adherence from the Patriarch of Constantinople to the Pope. To him Innocent sent a special messenger, to effect by intrigue what he had failed to accomplish by threatening. Awed by the significant intervention of the Bulgarian, the leaders of the Paterini, under the Ban of Bosnia, signed an engagement to set up altars and crosses in their churches, and submit their own ecclesiastical appointments to confirmation and control at Rome.†

We find an angry missive, rebuking Alonzo, King of Castile, for some acts of kindness he had done to Jews and Saracens under his government.‡ Another letter conveys to Pedro, King of Aragon, the power of possessing "lawfully" whatever land he can take away from heretics, forasmuch as all such land is by right the property of the Church, heresy having destroyed the title pretended by its occupants.§

Philip of France, and others in that kingdom, are commanded to repress the *insolence* of the Jews;|| that is to say, to destroy them on the credit of vulgar calumnies. Pedro of Aragon, having done what he was desired to do, is rewarded with the moveable property of the victims, as well as their lands; and, in

\* *Regest.*, lib. i., num. 509, Jan. 5, 1199.

† *Ibid.*, lib. vi., numm. 140—144, Maii, 1203.

‡ *Ibid.*, lib. viii., num. 50, Maii 5, 1205.

§ *Ibid.*, numm. 92, 94, 97, Jun. 16.

|| *Ibid.*, num. 121, Jul. 15.



apprehension of a rebellion in consequence, he gets also a castle belonging to the Church, for the better prosecution of a "war" which he is to wage upon his own persecuted subjects. So extensively had the proscribed religion spread in Spain, that nothing less than military force could put it down.\* In like manner, the King and nobles of France, under authority of a Brief, received the entire property of the Albigenses whom they had destroyed, or driven into exile from Toulouse.† It does not belong to a historian of the Inquisition to narrate the persecution and humiliation of King John of England by this Pope, and therefore we gladly pass over the documents relating to those shameful transactions.

A contemporary, but anonymous, biographer, who describes what he has witnessed, relates the doings of Innocent in his own territory.‡

"In the tenth year of his pontificate, after celebrating the feast of the Ascension," (June 4th, 1207,) "our Lord Pope left the city," (Rome,) "and came to Viterbo, where the citizens received him with vast joy, glory, and honour. But he forthwith began to take measures for clearing away the filthiness of the Paterini,§ with which the city of Viterbo was very deeply infected, lest it should be said, to the disgrace of the Church of Rome, that, before her eyes, and within her own patrimony too, she had suffered heretical pravity to exist, and so should be unable to look fairly in the

\* *Regestorum, sive Epistolarum*, lib. ix., numm. 102, 103, Jun. 9, 1206.

† *Ibid.*, num. 149, Nov. 17, 1207.

‡ *Gesta Innocentii PP. III. ab Auctore anonymo, sed coætaneo, scripta*, cap. 123, in the first volume of the Works of this pontiff, quoted above.

§ These Paterini were probably married priests and their followers. They are sometimes confounded with the Waldenses, with whom they sympathised, at least in a conviction of the unlawfulness of compulsory celibacy. Hence the biographer calls their doctrine and conduct *spurcitia*, "filthiness." See *Remarks upon the Ecclesiastical History of the Ancient Churches of Piedmont*, by PETER ALLIX, D.D., chap. xiv.

face of those who might say, to her reproach, 'Physician, heal thyself! First cast out the beam from thine own eye, and then thou shalt cast the mote out of thy brother's eye.' The Paterini, however, getting information of his approach, all betook themselves to flight. But he, having summoned the bishop and clergy of the city, caused a narrow search to be made, and an exact account taken of all the harbourers, abettors, defenders, and believers in them: and then, by the *podestà* and consuls, had them all arrested, sworn, and bound under securities to be obedient for the future to all commands laid upon them."

The houses which these people had inhabited he razed to the ground. All their moveable property that could be found he seized; ordering the consuls to make search for whatever they might suppose to be concealed: and bade them, without fearing any penalty for going beyond their powers, to punish, with unlimited discretion, all persons convicted of concealing it.† Then, in a general assembly of clergy and people, he proclaimed a decree to the effect following:—

Every heretic, especially a Paterino, found in the Patrimony of St. Peter, to be seized instantly, and summarily delivered to the secular court to be punished according to law. All his property to be forfeited, and one-third given to the person who caught him, another to the court that punished him, and the other to be employed in public works. His house to be demolished, and never built again, but made a dunghill. His friends fined in one-fourth of their property, to be given to the state, for the first offence, and banished for the second. Such persons to have no power of appeal in any cause, nor any right to prosecute; but might be prosecuted by whomsoever chose. No judge, advocate, or notary to serve them, under peril of deprivation from office. The clergy might not minister to them, nor accept

\* *Regestorum*, lib. x., num. 105.

their offerings. They were excommunicated with the utmost rigour. The decree was duly registered; and every person holding any civic office was to hear it read once a year, and swear to enforce it rigidly.\*

Thus far Innocent had gone by his own sole and supreme authority; but now he engages his Church to incorporate his decisions in Canon Law; and by so doing, the Inquisition properly so called, was effectually founded as an integral institution of the Church of Rome. The Councils of Tours, the Lateran, and Verona, as quoted above, had passed acts which tended to arm the populace against heretics; but in the year 1209 this Pope had a Council assembled at Avignon, under the presidency of his legates, and added an important chapter to the incipient code of persecution. In it the Council ordains that bishops are to preach more frequently, putting off their great and punishable negligence. It confesses that the obedience of the clergy cannot be counted on, and claims the aid of the secular sword, since the spiritual fails. It commands every bishop to select such of his citizens, counts, castellans, knights, and other parishioners, as he may think fit, and swear them to exterminate all excommunicated heretics. "And that the bishop may be better able to purge out heretical pravity from his diocese, let him bind under oath one priest and two or three laymen of good character, or more, if necessary, in every parish both of town and country, that wherever they find any heretics, or abettors of heresy, or receivers of heretics, they shall forthwith report the same to the bishop himself, and to the consuls of cities, or the lords and bailiffs of places, that they may be punished according to the canonical and legal sanctions, in every case forfeiting their goods. But if the aforesaid consuls and others be negligent or contemptuous in regard to this divine service, when required by the bishop, let their persons be severally

\* *Regestorum*, lib. x., num. 130.

excommunicated, and their lands placed under the ban of the Church.”\*

How the bishops were to detect heretics was not said in the decree; but what means they found for this “divine service” soon became apparent, when the rise of a heresy in Paris under the name of Amaury, a student in the Sorbonne, occasioned an application of the new law.

“The report of this heresy having privately reached the ears of Peter, Bishop of Paris, and Friar Guérin, Counsellor of King Philip Augustus, they secretly sent for Master Raoul, a clerk of Nemours, and engaged him to make diligent inquest concerning the men of that sect. This Raoul was a clever and cunning man, and soundly Catholic. Being thus commissioned, with inimitable skill he feigned himself a member of the same sect as they to whom he came. They revealed all their secrets to him, confidently believing him to be such; and thus it pleased God that many priests, monks, laymen and women, who had been long concealed, were at length detected, taken, brought to Paris, and, in a Council there assembled, convicted and condemned. They that were in orders were degraded, and the whole delivered over to the court of King Philip, who, as a most Christian and Catholic sovereign, called his apparitors, and bade them burn them all. They were burnt accordingly, outside the gate of Paris at Champeaux.” Ten suffered in the flames; their enemies afterwards testifying that they had been eminent for honesty and gravity of life. Other four suffered perpetual imprisonment.”†

Innocent advanced another step in the Fourth Council of the Lateran, consisting of four hundred and twelve bishops, over which he presided in 1215. The objects of this Council were to correct bad manners, condemn heretics, and stir up princes and populations to a crusade. As to the first object, it was

\* *Concil. Avenionense*, A.D. 1209.

† *Concil. Parisiense*, *adv. Amalrici Hæresin*, A.D. 1209.

never prosecuted in earnest. The third was compassed in the sixth crusade under Honorius III. The second had been already made sure. The Count of Toulouse was conquered, the followers of Amaury were burnt alive, and this Council could proceed with entire confidence of success to lay down regulations for the extinction of heresy. Its provisions were as follows:—

Every heretic rebelling against the “holy Catholic and orthodox faith,” as accepted by the fathers assembled in the church of St. John, is excommunicated and accursed. No heretical denomination is exempt; for those foxes, although dissimilar in face, are tied together by the tails, and agree in vanity.

“But when condemned, *the secular powers being present*, or their bailiffs, to them they are left to be punished after due sentence, the clerics being previously degraded from their orders. If laymen, their property is confiscated; if clergymen, it shall be given to their respective churches.

“*Persons marked with suspicion only*, unless they can clear themselves, are to be smitten with the sword of anathema, and shunned by every one. *If they then persist* for a year in excommunication, they shall be *condemned as heretics*.

“Secular powers must be moved and induced, or, if need be, compelled by ecclesiastical censure, to make public oath for the defence of the faith, as they themselves desire to be faithful, promising to labour with all their might to root out of their dominions all whom the Church has denounced as heretics.”

The temporal lord who, after a single admonition by the Church, neglects to purge his land from heretical defilement, is to be bound under anathema by the Metropolitan and other bishops. If he is pertinacious for one year, his subjects are released from their allegiance, and his territories shall be occupied by Catholics, who may sweep off all the heretics, and purify the faith.

In this Council the penalty of *infamy* is denounced on all who resist its decisions, with incapacity for holding any public office, or exercising electoral rights, or bequeathing property, or having successors to their estates. In distress none are to show them any charity; after death, none shall give their corpses Christian burial.

Every archbishop or bishop must visit his "parish" once in the year, make inquisition for heretics, and conventicles, summon all suspected persons, whom, if they cannot clear themselves, or if they relapse after canonical purgation, they shall canonically punish. All this the bishops are to do, under peril of deprivation if they do it not: in which case they shall be themselves condemned for heresy.\*

This completes the canonical establishment of an Inquisition. The tribunal of the Holy Office is not yet constituted; but the Fourth Council of the Lateran made all Romish bishops Inquisitors by virtue of their office, and such they are so long as they remain in communion with the Papacy. We have also to note and to remember that the Inquisition was not the work of Theodosius, or Innocent, or Dominic, or the College of Cardinals; but that it grew up spontaneously within the bosom of the Papacy, to which systematic persecution is as necessary for life as the soul is necessary to the body; and that a separate tribunal would never be required, if the work to be done were of a sort that could be left in the hands of men but commonly humane.

Hitherto the bishops had been held responsible, as guardians of the faith, and required to make inquisition of heresy; but a humane or perhaps an aged bishop could not incessantly endure the groans of dying heretics, nor every day dip his hands in blood. The aged priest, although a dotard in bigotry, might not have either strength or courage to brave the dan-

\* *Concil. Lateranense IV.*, A.D. 1215.

gers of so rude a service. The ruler of one diocese might be as gentle therein as his neighbour was severe in the government of the next; and the inequality of their administration would detract from the authority of discipline. Besides this, in the provinces of Popedom there was a prevalent persuasion that bishops held the crozier by a Divine right, and that they ought not to be required to coerce and slay their flocks at the pleasure of a distant and overbearing chief. Then, again, it became evident that so great a work as the extirpation of heresy could never be done effectually, even by the most willing servants, unless there were some one administrative power, having oversight of all. It was not considered enough that each Episcopal Court should take cognizance of heresy, and that every magistrate should be at the beck of his bishop, to burn as many culprits as he should be pleased to condemn. It was found that in the numberless imprisonments, trials, and executions now occurring, there was more than enough work provided for a distinct ecclesiastical department. Popular concurrence, however, was no less needed by the zealots than popular submission. Some well-trained agency was wanted to inflame the public mind against the destined victims of the Church.

It is moreover evident that whereas the Canon Law, with all its defects, was not framed without a professed regard, at least, to recognised principles of justice, and with a steady view to the protection of the clergy, and that Episcopal Courts were established for the administration of that law, some very different Code had to be framed, and some very different Court erected, when the main object was to enable those very priests to destroy heretics of every rank and order, both clerical and lay, without any restraint of justice or humanity. Such a Code was nearly complete, and now the Court to be erected was nearly perfect in design.

## CHAPTER III.

## DOMINIC AND THE DOMINICANS.

POPE Innocent III. had already sent two emissaries into the south of France to represent his plenary authority in the dioceses where Albigenses and Waldenses were numerous; and, as we have seen, he required every one, bishop, priest, or layman, to assist in the horrible service, under peril of ruin in this world, and damnation in the world to come, as if indeed the keys of death and hell had been entrusted to his keeping, and the use of them left to his discretion. The two envoys were Cistercian monks, Brother Rayner and Brother Guy; but the Order of St. Bernard did not furnish men savage enough to furnish chief janizaries to the Caliph of the West, and there is not much to be said of their operations. A few years after others were appointed, who did their utmost to quicken the zeal of the multitudes against their brethren the Albigenses and Waldenses of Aquitaine, Narbonne, and other provinces. But while the eloquence of their sermons drew some applause, their cruelties provoked indignation; and at length one of them, Peter of Castelnau, was killed by a soldier in the neighbourhood of Toulouse, and Innocent declared him a martyr.

The crusade against heretics now raged most fiercely. Simon of Montfort laid waste the county of Toulouse. Cities were besieged, stormed, and sacked. Hundreds of martyrs had already been cut to pieces, or burnt upon the field of slaughter; but it was evident that relays of volunteer troops would not be always forthcoming, for the point was very nearly reached beyond which princes and nobles would not be carried



in murdering their subjects and impoverishing their domains, merely to satisfy the vengeance of the Church.

Foulques, Bishop of Toulouse, came from amidst the ruins of his desolated diocese, to make his appearance in Rome, at the Council of the Lateran, mentioned in the last chapter, and brought with him a devoted zealot, a Spaniard about forty-five years of age, named Domingo de Guzman, historically known as St. Dominic. His mother, Juana, had dreamt some time before his birth that she was delivered of a dog, who came to light carrying a brand in his mouth to set the world on fire. The boy turned out an incendiary, according to his mother's dream. After making rapid proficiency in the School of Palencia, then one of the best in Europe, he became a priest, soon got preferment, was chosen by his diocesan, the Bishop of Osma, to accompany him on an inquisitorial expedition into France; and, when there, signalised himself by great address in dealing with heretics. They say that he converted some of them by means of an argument against heretical doctrine, written upon incombustible paper—paper prepared chemically, of course. The paper was thrown into fire, his favourite element; thrice was it thrown in, but would not burn.

While in Toulouse, the scene of that achievement, he conceived the design of forming a new order of preachers against heresy, a *Sermon*, as we shall soon see, being in those days part of the ceremony preliminary to the burning of a heretic, and one of his adherents, named Pierre Callan, gave him some houses to provide him and his first companions with cells, and to serve the new society in part for an endowment. Domingo was himself an eloquent and persuasive preacher, and Innocent, although he had engaged the Council of the Lateran to decree that no new monastic orders should be established, but that the old ones should be reformed, perceiving his great ability as an inquisitor, gave him permission to prepare a set of rules. "The Oracle"

had spoken otherwise in the Lateran, but in the Vatican he pronounced on this wise; and prudently saved his mutability from general observation by refraining from the publication of a Bull.

Fray Domingo being thus encouraged, proceeded to establish his fraternity; obtained a church in Toulouse in addition to the cells, and on the accession of a new Pope in the year following, applied to him for full authority to rule his brethren. Honorius III., favourable to a scheme of so much importance to the Papacy, received the application graciously. This wakeful son of a dreaming mother, when at the Pontiff's feet, related a vision of his own which had occurred, he said, since his arrival at "the threshold of the Apostles." He said, that one night, when praying in a church, he saw our Lord in a state of anger, holding with uplifted hand three javelins to be launched against sinners; one to destroy the proud, another the avaricious, and a third the voluptuous. On this, he said, the holy Mother embraced the feet of her Son, imploring mercy on them all; and the Son acknowledged that her intercession had appeased His wrath, adding that He had two faithful servants there whom He would introduce to her.

One of these two faithful servants was Dominic himself, and the other was Francis, afterwards famous as founder of the Order of Franciscans, a man whom Dominic did not then know, but met in the Church next morning. Honorius—the tale tells—was not displeased with this account of the vision, uttered some words of approbation, and granted Dominic two Bulls, one declaring that he and his brethren were champions of the Faith, and true lights of the world; the other empowering them to possess property, and perform their respective functions. Not to contradict the Council which prohibited the creation of new *monastic* orders, he called them canons regular,—*friars*, not monks. The Bulls were dated September 12th, 1217.

At this juncture Dominic somewhat resembled a

general without an army. He was commissioned to be a champion of the faith, and all the members of the community were to be champions of the same: but as yet he had not so much as a troop of familiars, nor was there any fixed tribunal before which he might summon suspected persons. Such a sudden readiness in granting a Bull for a new society to a new comer was quite unusual, but in truth, the new comer was wanted, and the Pope's readiness is one proof out of thousands that the Inquisition is not an extraneous institution, but is essential to the Papal Church, and necessary. So encouraged, Dominic determined to begin his work without loss of time. On the same day, making a speech to some who came with the usual congratulations, he told them that the Pope had conferred on him a new office, assured them that he was resolved to defend the truth manfully, and said that if spiritual and ecclesiastical weapons were not sufficient, he would call the secular power to his aid, and incite and impel "Catholic princes" to take up arms against heretics, that the memory of them might be utterly blotted out. From that time he sent out preachers whose business it was to rouse the populace; fervent bigots who had received repeated assurances of protection from the Pope, being doubtless worthy to be called Inquisitors.

Meanwhile Dominic laboured for the organisation of a system to be enlarged by affiliated brotherhoods. The original system of the Dominicans being, in ecclesiastical language, a *first* order, after having founded a *second* order of women, uneasy sisters who soon dispersed, he raised a *third*, called THE MILITIA OF CHRIST, to fight as crusaders against heretics. These were all gentlemen. They were chiefly married men, and wore a handsome court-dress, sword included. They were bound by oath to use the sword against heretics, when required. Their wives were sworn to help them to discover heretics, and assist them in every possible way in the holy warfare. These ladies, too, had their

dress, which might be varied in pattern, but must always be black and white, with no other colour, and so contrived that both the black and the white were always visible. These military brethren and sisters assisted the Dominicans of the first order in searching out heresy; and because attached to that "family," yet not subject to its rule, they were called *familiars*, a name used afterwards in relation to the Inquisition almost exclusively.

Honorius III. gave these familiars also his formal approbation, and in the year 1224 we find them active in Italy. But not only in Italy. In the following year the Emperor Frederick II., in a constitution published at Padua, speaks of them as "Inquisitors whom the Apostolic See had appointed in any part of the Empire." "And we declare," said he, "that the friars preachers, and the friars minors, deputed in our Empire for the affair of faith against heretics, are under our special protection."

But we must not attribute to this Emperor any sincere admiration of Dominicans, or any fervent zeal against those whom the Dominicans persecuted. The show of zeal was politic. The Pope had been urging him to set out on crusade against the Mohammedans in Palestine; a perilous and costly service, more easily to be promised than performed; and at this time he was endeavouring to conceal his reluctance to cross the seas under an affectation of enmity against these less formidable opponents of the Papacy at home. This accounts for three sanguinary constitutions issued at Padua under the same date, February 22nd.\* From the first of them are taken the sentences above quoted, the work of a lawyer well versed in the varieties of heresy, and the well-weighed vocabulary of the new Inquisitorial sect. It is notorious that, within a few months after the publication of those statutes, Frederick II. was

\* The constitutions are given by Limborch, *Historia Inquisitionis*. Amstelod. 1692, lib. i., cap. 12. The date is fixed by Bzovius and Raynaldus.

himself declared an infidel, denounced as an enemy of the Church, and, as such, pursued to the day of his death. But it is yet more worthy of note that the man who framed them—Pierre des Vignes, his Chancellor, came to a miserable end. After rendering him many and great services, steadily upholding the imperial prerogatives during incessant quarrels between his master and successive Popes, he was accused of a plot with the physician to poison Frederick, and condemned to a shameful and horrible death, which he anticipated by dashing his head against the marble pillar to which he was chained. Frederick himself died of a broken heart, abandoned by everyone as an accursed heretic; or, if the account be true, he was smothered in bed by one of his illegitimate children. Such was the end of the Sovereign who, for the sake of courting the Pontiff whom he both despised and feared, made himself a chief instrument in surrendering “the secular arm” to the service of the Church of Rome for murdering heretics.

St. Louis, King of France, with stern sincerity, followed the example of the Emperor, by appending his royal signature, in the month of April, 1228, in Paris, to certain statutes for the liberty of the Church, in one of which he laid the foundation of a revenue for the establishment soon to be organised. It reads thus:—“For because they are to be honoured and encouraged to do their duty who solicitously exercise their diligence for finding and taking heretics, we determine, will, and command that our bailiffs in whose bailiwicks heretics are taken, shall pay for each heretic, after he is convicted, two marks to whomsoever took him alive, if it was within half a year, or one mark if it was later.”\*

The reader shall not be wearied with tracking the fierce Dominicans in their inquisitorial itineracy. Neither shall we transcribe, nor even enumerate, the

\* *Statuta Dom. Ludovici Regis*, A.D. 1228.

chapters in Acts of Council after Council, and the Papal briefs which were issued to instruct them in regard to their vocation, to give sanction to their proceedings, or to exact the concurrence of the civil power with their violence. It is enough to say that the Provincials of the Dominicans were gradually invested with an authority closely resembling that of the Inquisitors-General in later times; and that their operations extended just so far as the Papal power could prevail. Happily for Germany, frequent misunderstandings, or open conflicts, between the Popes and the Emperors hindered the progress of Inquisitors in the German States; but they found entire support in France and Spain, and in most parts of Italy. Even the Republic of Venice received these Papal delegates, but insisted on associating Venetian magistrates with them in every case, and, much to the annoyance of the Inquisitors, gained and maintained the point. When the objects of their vigilance escaped into other countries, they pursued them into every accessible retreat. Refugees in the island of Sardinia, for example, found themselves beset with the emissaries of Dominic from Rome. His emissaries even established themselves in the remote region of Servia; and in Asia, as if to crown the opprobrium of their spurious Christianity, they prowled about in the parts of Palestine and Syria that were occupied by the Crusaders, zealously endeavouring to preserve the godless garrisons, not, indeed, from sin, but from influences unfavourable to the priesthood.

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## CHAPTER IV.

## FRANCE.

## THE INQUISITION OF TOULOUSE.

THE Holy Office was not yet erected, but the ground was cleared; the clergy, especially the Dominicans, were busily laying the foundations; and the pontificate of Gregory IX. was to be distinguished by a visible advancement of the fabric.

At Toulouse, a city conquered by the crusaders, where the last Count had preserved his title, with a shadow of power, by abandoning the faith of his ancestors, a Council was holden in the year 1229; and although its chapters generally resemble those of previous assemblies of the kind, there is a specialty of character in them which indicates the nearer approach of a settled Inquisition. It was again decreed, in substance, that the bishops should appoint a priest, and two or three laymen of good repute, in every parish, whom they should swear to frequently seek out heretics narrowly, in houses, in caverns, and in all places where they might be concealed; and, after taking care that none should escape, give immediate notice to the bishop, or to the lord of the place, or to the lord's bailiff. The lords were required to make search in villages, houses, woods, or other hiding-places; and if any lord was known to allow a heretic to take refuge on his domain, he should himself be punished.

Negligent bailiffs were to be punished, and houses wherein the guilty had found shelter were to be pulled down. Yet none should suffer as a heretic, until condemned by the bishop, or by an ecclesiastic having

authority to act. Any person might take a heretic into custody. Converted heretics, even when reconciled to the Church, were not to live in a village suspected of heresy; "and to show that they detest their former error, they shall wear two crosses, of a different colour from their dress, one on the right, the other on the left, breast." But such persons were never admissible to any public office, except by dispensation of the Pope. Persons converted against their will were to be kept in perpetual imprisonment. There was to be an exact list of all the inhabitants in every parish. Every male person over fourteen years of age, and every female over twelve, were to swear to the bishop or his delegate, that they utterly renounced heresy, held the Catholic faith, and would persecute and denounce heretics. All who refused thus to swear were to be suspected of heresy; and so would all be who failed to confess and to communicate three times every year.

At this Council of Toulouse, *for the first time* since the name of Christ was known, the laity were openly forbidden to read the Holy Scriptures of the Old and New Testament. An aged person might possess a Latin Psalter, a Breviary, or the Hours of the Virgin; "but," said the fathers of the Council, "we most strictly forbid them to have the above-said books translated into a vulgar tongue."

A keen eye might detect a precedent for establishing *the Secret* which became the very soul of inquisitorial success, in the fact that when the legate returned to Rome, after holding this Council of Toulouse, he carried away with him all the records of inquests made, "lest, if evil-disposed persons should chance to find them, at any time, in that country, it might be the death of witnesses who had given evidence against them."\* The legate felt that he had been doing a deed of darkness, and, naturally enough, fears haunted him, and counselled secrecy.

\* *Concilium Arausicanum*, A.D. 1229.



The military conquest of the county of Toulouse gave a character to the earlier forms of inquest, which continued as long as modern society would suffer. We trace them in the statutes of Raymund, the last count (A.D. 1233). Concerning the Albigenses, in the Council of Beziers, about the same time, and in the Council of Arles, the year following. In the Council of Narbonne, probably assembled in 1235, for the single purpose of giving instructions to the Dominicans, as Inquisitors of the Faith; and this is the first complete document of the kind that I can remember. Visible marks of military conquest were the demolition of houses once inhabited by heretics, and the imposition of a particular garb, with a badge, on reconciled heretics. These marks were to signify that the impenitent part of the population was driven away or dead, and that the penitents, like the enslaved remnants of a people conquered by barbarians, were to be known by their attire.

The first pair of Inquisitors (Dominicans) began their work in Toulouse, after several failures, in the year 1234. On that occasion one of them opened his commission by delivering a sermon from Ecclesiasticus xlviii.:—*Et surrexit Elias propheta, quasi ignis, et verbum ipsius quasi facula ardebat.* Like a man of authority, he unfolded the mystery of the words, pointing to Dominic of course:—"And Elijah the prophet arose like fire, and his word was burning like a firebrand." All through the first week their zeal was gratified by many visits. Some came to abjure heresy, and implore mercy. Others came to inform against their neighbours; some to proffer their assistance. Many persons were put under penance. Many penitents, however, betrayed impatience. Gradually the people of Toulouse lost all forbearance, rose against the Inquisitors, and drove them out of the city-gate after they had officiated, or endeavoured to officiate, about one year.\*

\* Bzovius, A.D. 1235.

But others quickly took their place; and Bzovius produces a letter of Gregory IX. to one of them, Master Peter of the order of Preachers at Pampelona, containing these terrific sentences:—"Then, as we are bound, by the office laid on us, to remove the stumbling-blocks out of the kingdom of God, and, so far as in us lies, to fight against those beasts, we put into your hand the sword of the Word of God; and that sword, according to the sentence of the prophet, you must not keep back from blood, but, like Phinehas, inflamed with zeal for the Catholic faith, you must vigorously search for those pestilent people, their followers, harbourers, and defenders, and proceed against those whom, by inquest as above directed, you may find guilty. Act up to the canons and statutes we have issued for the confusion of heretics; and, if it be necessary, call in the help of the secular arm against them."

As for the secular arm, it waited not for the solicitation of the preaching friars. Even the Count Raymond, as if anxious to ingratiate himself with the murderers of his countrymen, signified his desire to make an instant end of all heretical pravity in his dominion. The Pope rejoiced to hear of so pious a desire, gave him a bishop to assist, and it is related of that most unhappy Count, last of his line, that, shortly before his death, he had eighty persons brought into his presence under condemnation on account of heresy, whom he sent away all in a body to the flames.\* The earldom of Toulouse ceased with Raymond, who went to his last account on the 27th day of September of the same year.

At the prayer of the King of France, in the year 1255, Pope Alexander IV. constituted the Provincial of the Dominicans and the Guardian of the Franciscans in Paris Inquisitors-General for all that kingdom. And in the beginning of the fourteenth century we

\* Raynaldus, A.D. 1249.

find regular tribunals in full action, with jurisdiction administered by three concurrent authorities,—civil in the magistrates, ordinary ecclesiastical in the bishops, and pontifical in the Inquisitors,—and a rigorous prison discipline with public infliction of capital punishment. This it is usual to call *the ancient Inquisition*.

Careful to adapt his teaching to the acts of his brethren, Thomas Aquinas, Chief of Dominican Theologians, gently laid down the doctrine of death to heretics. Condemning the opinion of some who say that it matters not what one may think of the creatures, so long as he has true faith concerning God, he says:\* “For every error concerning creatures leads to a false opinion concerning God, and diverts the minds of men from God, to whom faith strives to bring them. They are attributing to those creatures other causes; and, therefore, on those who err concerning creatures, the Scripture denounces penalties as on infidels; saying in Psalm xxviii.: ‘Because they regard not the works of the Lord, nor the operation of his hands, he will destroy them and not build them up.’ And in Wisdom ii.: ‘These things they thought and were in error; for their wickedness blinded them.’ And it adds: ‘They judged not the honour of their souls.’” The combination of subtlety with ignorance of Holy Scripture, of cleverness with lack of sense, confounding the creature with the cause, is conspicuous in this conclusion. But the fallacy of Aquinas satisfied the Holy Office in persecution of the learned for five or six hundred years. Scientific error, in which all were alike involved, was treated as a sin; and while all mankind were ignorant of even the first elements of natural science, the dignitaries of the Church, in common with the meanest of the laity, the most acute philosopher might be pronounced worthy of destruction, in time and eternity, for not knowing what it was impossible to know.

\* S. THOMAS AQUINAS, *Summa* ii., 9, 11, Art. 3, 4.

Philip the Fair strove to equal his predecessor, St. Louis, in zealous patronage of the Inquisitors of the Faith, but soon found reason to suspect himself of indiscretion in trusting the instruments of oppression to their hands. Moved by the complaints of his own judges, he issued an order in 1302, requiring the Inquisitors to keep within due bounds, and not infringe on the temporal jurisdiction by burdening his subjects with pecuniary exactions, or otherwise overstepping the limits of their just authority. He strictly forbade the judges to lend them any aid in prosecuting the Jews for usury, sortilege, or other offences not properly falling under the cognizance of Inquisitors.\* It is remarkable, however, that this interposition of regal authority tended only to protect the wealthy Jews who traded in money, and left unprotected the poor heretics, who could not buy the favour of judge or king by such appliances as the usurers could bring to bear on both.

The Pope, however, living apart from the interests of honesty and morality, thinking himself superior to the laws which govern both, comforted the Questors of the Faith by a decision of a very different kind. Benedict XI., the next year after King Philip's royal lesson, gave the Inquisitors of every nation an indulgence to exempt them from guilt, whatever murders they might commit when acting in their peculiar calling. They might happen to kill the penitents, but were to be exempt from guilt.†

Philip Van Limborch, Professor of Theology among the Dutch Remonstrants, and author of a General History‡ of the Inquisition, obtained a manuscript taken from the archives of the Inquisition of Toulouse, first established, as we have seen, of all the complete Inquisitional Tribunals. The document was a parchment volume, held between two covers, or

\* DU CANGE, *Inquisitores Fidei*.

† CALDERINI, *De Hæreticis*, Venet. 1571.

‡ *Historia Inquisitionis*. Amstelodami, 1692.

pieces of wood. On each of these covers was cut the title, L. SENTENCIARUM, "Book of Sentences;" that is to say, of sentences passed on culprits. Each record was subscribed in the handwriting of one at least of the four notaries who drew up the original reports, and thus authenticated the fair copies, adding to the signature a seal of office. Limborch gives the *fac-simile* of each seal, and preserves in his reprint of the volume the barbarous orthography of the very low Church Latin of the fourteenth century, in order that every letter of his original may be expressed; merely putting syllables at length, instead of using the abbreviations. His edition is a folio, of the size usually given by the Wetsteins,\* of four hundred and twenty pages, with the foliation of the MS. exhibited in the margins. Having carefully examined this very remarkable record of the doings of the first Inquisition, I now endeavour to give an idea of what they were.

What is now called an *Auto-de-Fé*, or Act of Faith, was then called a "General Sermon of Faith," because the proceedings of each of those gaol-deliveries at Toulouse were opened by a sermon; and the same custom was continued down to the latest of them, so long as the burnings could be done in public. The "sentences" which the Inquisitors delivered at fourteen "Sermons" are here preserved, syllable by syllable, as the notaries drew them up. The first is dated on the first Sunday in Lent, 1308,† and the last on the Sunday below the octaves of the nativity of the blessed Virgin Mary, 1322. The first was holden the cathedral church of St. Stephen; and for each of the others a church or a market-place was

\* The imprint is, "*Amstelodami, apud Henricum Wetstenium, CI<sup>o</sup>IOXCII.*"

† The authenticity of the MS. is tested by the accuracy of the dates. There are two clerical errors which strengthen the proof. For 1308 the scribe wrote 1307, by putting VII. instead of VIII., and again by the omission of an I. at the seventh Sermon, all the original numerals being Roman, he made it 1315 for 1316. The dates have been verified by the help of De Morgan's tables.

chosen, where a great crowd of spectators might be assembled.

A seneschal, a judge, a sergeant-at-arms, and a civil governor, representing the sovereign, swore on the holy Gospels faith to the Lord Jesus Christ and to the holy Roman Church, promising to defend Christ and the Church with all their might; to pursue and take—if they could—all heretics in belief, with their aiders and abettors, and accuse and present them to the Church and the Inquisitors. They swore, engaging not to give office of any kind to the aforesaid pestilential persons, nor to any reputed to be such, and not to admit the like into their family, their friendship, their service, or their counsel, if they knew it; and if they came to know of having unwittingly harboured any, they would instantly put such away. And then they reiterated the vow of obedience to God, the Church, and the Inquisitors.

A company of “consuls,” or civil magistrates, next approached, and were adjured after the same manner, word for word.

But the archbishop of the ecclesiastical province, and the neighbouring bishops, were not well content; for between them and the Roman delegates there had been jealousy from the beginning. It was by dint of negotiation, no doubt, that they obtained an official place at the “sermons,” as something more than mere spectators; and, at length, the archbishop was enabled to exercise his power as such, and authorize *some* of his bishops to be present. They, when prevented by other business, or deterred by humanity, sent “canonical commissaries” to act as advocates of the persons accused, if there was any ground for palliation, or any motive for pity.

The oaths being taken, the two Inquisitors for all the kingdom of France pronounced sentence of excommunication against all that had any way hindered or opposed them and their subordinates, either openly or secretly.

The "House of Inquisition" in Toulouse—and by this time there was another such house in Carcassonne, and most probably others elsewhere—was emptied of its inmates, who appeared in companies in the cathedral. They are said, in this Book of Sentences, to have been "brought out of the wall" (*educti de muro*), a phrase which indicates the kind of dungeons wherein they had been literally *immured*,\* models of those which later historians have described in other countries. Some of them were sentenced to wear crosses; and others, by an act of grace, were excused from carrying that badge, yet they were to do heavy penance. Take a sentence for each class, as we find it in the book: and *first, of penitents wearing crosses.*

"In the name of the Lord, Amen. We, the aforesaid Inquisitors of heretical pravity" (Brother Bernard Guy, and Brother John de Belna, of the order of Preachers), "and the Commissary-Delegate of the aforesaid Archbishop of Toulouse, and I, the aforesaid Brother Bernard Guy, by virtue of commission from the reverend fathers and lords in Christ, G—, and R—, and G—, bishops" (the names of the sees are obscure and unimportant), "in what pertains to them concerning the undermentioned persons of their dioceses." Then follow fifty-seven names, with designations, showing that whole families had been captured by the Inquisitors; and their offences tell that the Gospel had penetrated beyond the Pyrenees into Spain. "These men and women, immured by way of penance for crimes of heretical pravity which they had committed,

\* Doors appear to have been thought insufficient for safe custody, and therefore prisoners for heresy were now to be built in. Du Cange (*s.v. Murus*) has an extract from the Council of Toulouse, 1229, already noticed, which provides, in the eleventh chapter *De Hæreticis*, that "they be shut up, or built in the wall (*in muro includantur*) with such caution that they may have no power of corrupting others." Philip the Fair, in another extract by Du Cange, (*s.v. Immurare*), distinctly says that the prisons constructed in his dominions for persons detained for the crime of heresy, were commonly called WALLS. We shall see more of this in future chapters of the present work.

and in humble obedience to the mandates of us and the Church, having been in the wall now for many years, we, willing mercifully to mitigate their pain and penance, by grace release them from the prison of the wall. But we enjoin on them, all and each, under obligation of the oath they have taken, that, in exchange for the said penance and prison, they henceforth perpetually wear two crosses of yellow felt on every garment except the shirt" (of size prescribed), "one on the breast, and the other on the back, between the shoulders, without which appearing they must not be seen either within doors or out of doors. If the crosses be torn or worn out, they must be mended or renewed; and as long as these persons live, they must, every year, visit the church of St. Stephen of Toulouse, on the festival of the saint, and the church of St. Saturnine of Toulouse, in the octaves of Easter, and hear high mass and sermon in each. They must also confess thrice every year, before Christmas, Easter, and Whitsuntide, and communicate in those festivals, unless they abstain from communion by counsel of their priest. On every Sunday and feast-day they must hear full mass in their parish-church, and a sermon whenever there is one in the parish where they are, unless lawfully excused. They must abstain from work on feast-days, and never bear any public office. They must keep a lenten fast at Advent, refrain from divinations and lots, and take no interest on money. They must also persecute heretics, by what name soever they be called, as well as their believers, abettors, receivers, and all fugitives for heresy. With their utmost power they must honour the Catholic faith, ecclesiastical persons, the rights of churches, and the office of the Inquisition. They must also make pilgrimage, according to directions contained in letters which will be given to them; but which we command them to ask for, and keep, following the directions they will contain. We and our successors in the office of the Inquisition,



retain plenary power to throw the above persons, or any of them, into the aforesaid wall again, even without any new cause, or to increase or diminish, to mitigate or remit, this punishment to any of them, as we or any of our successors, may think fit."

Sometimes it was thought expedient to impose a dreary penance, quite enough to make life burdensome, but without the yellow crosses. This is designated *arbitrary penance without crosses*. But these penitents at large were, comparatively, a privileged class, reconciled to their Church, restored to her lifeless bosom, hugged in her cold embrace, to be envied by the fellow-prisoners whom they left in the wall.

On Sunday, April 23rd, 1312, on the feast of St. George the Martyr, and "for the honour of the holy Roman Church," Bernard Guy and a fellow-Inquisitor, with the usual array of ecclesiastical and civil forces, held a Sermon in the accustomed place. The number of their victims was not unusually large; but we can the more easily count the prisoners this day brought before them, because the notary happened to set down their names with a mark (¶) of separation. Here are men, women, and children, entire families, dragged into their presence, garbed in wretchedness, stricken with despair. An officer of the Holy Office reads over a catalogue of eighty-seven names: "Thou, Raymund Vasco; and thou, Bernarda Wilhelma, formerly wife of such an one; and thou,—; and thou,—; and thou,—;" on to the end. "So gravely and in so many ways have you offended in the damned crime of heresy, as has been read and repeated to you intelligibly in the vulgar tongue; you all being personally before us on this day and in this place, to receive penance, and to hear your definitive sentence peremptorily pronounced upon you; and desiring, as you say, with good heart and unfeigned faith, to return to the unity of the Church; and now again publicly abjuring all heresy, and all favour and belief of heretics of every sect, and all stubbornness, and belief, and

rite, and favour of heretical pravity; and promising to keep and defend the orthodox faith, and to persecute heretics, and detect and bring them out wherever you know them to be; and swearing that you will simply and faithfully obey the prescribed mandates of the Church, and ours, for the benefit granted to you of absolution from the excommunication with which, for the said faults, you were bound; if, indeed, you return to the unity of the Church with all your heart, and keep the commandments we have enjoined upon you, the most holy Gospels of God being placed before us, that our judgment may proceed from the presence of God, and that our eyes may see equity.”——

Enough to make the reader breathless. But the protracted sentence ought to finish kindly. The penitents have much to do. They are now expected to be very active in persecution of their brethren who do not repent. They have promised to render large service to the Church, and will require great readiness of heart to do it all with diligence. They are absolved. Brother Bernard invokes the God of mercy and equity. The ever-blessed Gospel is before Brother Bernard; and perhaps he has somewhere in it read how the Saviour said, “Go in peace, thy sins are forgiven thee.” He may have seen in what sort the Father of mercy bestows his most precious gifts on souls that deserve nothing, and how He “upbraideth not.” But, no! hear it out. He finishes in these words: “Sitting at this tribunal, and having the counsel of good men, learned in Civil and Canon Law, we condemn you, by sentence in this writing, to *perpetual prison of the wall, there to perform healthful penance, with bread of grief and water of tribulation.*”

The “benefit of absolution” is not yet exhausted. Three men, one of them aged, and three women, two of them widows, receive sentence thus: “And because you have offended more largely and more gravely, and therefore deserve weightier punishment, we determine that you shall be perpetually shut up *in closer*

*wall and straiter place, in fetters and chains."* The sentence then draws to its close in the usual form, and ends with a threat of yet sorer punishment on any one who may be found to have suppressed the least fact when under examination.

From these very copious notes of examinations of Waldenses, although notes of that description cannot be regarded as faithful records, much might be extracted to throw light on the domestic habits and ecclesiastical position of that long-persecuted people. At another Sermon we find, amidst many companions in confession and suffering, *Hugo de Cernon*. From childhood he had witnessed the piety of his father, who did not refuse hospitality to the wandering Barbe. The Inquisitors extorted the names of thirteen persons whom he had seen as guests at various times, or had himself entertained after his father's death. He had prayed with them before dinner and after,\* on bended knees, leaning on a seat, "according to their manner and rite of praying." He had heard their discourse, received their exhortations, and learned—as they were charged with teaching—that judicial oaths are forbidden in the New Testament. They denied the fable of purgatory. The Inquisitors represent him as saying that he had twice confessed his sins to the Waldenses, and received from them absolution and penance, "although he knew that they were not priests ordained by a bishop of the Roman Church."†

\* The Inquisitor Eymeric, describing the marks by which Waldenses might be known, after making some incredible accusations of licentiousness, adds what bears a beautiful appearance of truth. "When they take their places at table, they say 'May He who blessed the five barley-loaves in the wilderness for His disciples, bless this our table!' And when they rise, they repeat that passage of the Revelation, 'Blessing, and glory, and wisdom, and thanksgiving, and honour, and power, and might, be unto our God for ever and ever! Amen.' They always [say this] raising their hands and eyes towards heaven."—*Directorium Inquisitorum*, p. 441.

† That they certainly were not; but they were ordained by bishops of their own, true catholic bishops, if faith be the standard

*Juliana, wife of Vincent Vertelperio*, had been guilty of the same crime of hospitality; for she and her husband had suffered some of their pastors to sleep in their house, and they had joined in family prayer in the same simple manner. The alleged confessions of this party of Waldenses are so exceedingly alike, that one cannot help regarding them as forced or fabricated answers to a uniform set of questions, with the addition, now and then, of some trifling incident that is noticed because it may serve as an aggravation of the case. *Juliana*, for example, had accepted a needle from one of them, and that is noted down. In another house, the custom of family-prayer, first learnt from a visitor, had been continued. The offence of one man chiefly consisted in carrying money and clothing from some humane persons to Waldenses that were lying in "the wall." For such aggravations of their guilt many, in these fourteen Sermons, were delivered over to the secular arm, and burnt alive.

The case of a priest named *John Philibert*, even so far as it can be gathered from the Book of Sentences, is remarkable. When officiating in the parish of St. Lawrence, in Burgundy, he was chosen, together with another person, to go in search of a fugitive Waldense. Like Saul of Tarsus, he received letters from the chief priest, the Inquisitor of heresy, empowering him to call in help, if help were necessary, to arrest the man, and bring him back. With what success he performed that journey into Gascony, is not stated; but his communication with the persecuted Christians had produced such an effect on him that he went to visit them, not as a familiar of the Inquisition, but as an inquirer after truth and peace. The Waldenses welcomed him into their society. He was introduced into an extensive circle, and visited from house to

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of catholicity. The tale of confession is extremely improbable. Allix, in his treatise on the Ancient Churches of Piedmont, demonstrates the dishonesty of inquisitorial reports concerning these good people.

house, and from town to town. He shared in their hospitality as freely as if he had been a Barbe. He prayed in companies gathered to meet him, and attended in congregations where the word of God was preached. This was, of course, unpardonable in the sight of the Inquisitors, who maintained that the Waldensian ministers were not only heretics, but laymen and schismatics, not having been ordained by any bishop of the Roman Church. They invited him to join their company, which he readily consented to do; for, notwithstanding his knowledge that the Inquisitors persecuted them, he believed them to be good people. But so far were those honest Christians from flattering their desired convert, that one, Cristino, told him that it would be better for him to be a swineherd than a priest in mortal sin, singing mass.

The partial defection of a priest could not escape the vigilance of Inquisitors. Like many of his order in those ages, he continued to serve at the altar after he had ceased to believe in the doctrine of the mass; but his conscience, more scrupulous than enlightened, could not submit to a judicial abjuration; and when Brother Guy of Rheims, Inquisitor of heresy in Burgundy, required him on some occasion to swear upon the Gospels, and he refused, and twice repeated the refusal, he was arrested, and placed under observation. Ere long they summoned him to appear before the same Inquisitor, in the Archbishop's palace at Besançon; and, in the presence of ten or twelve witnesses and a notary, he submitted to be sworn, and avowed his correspondence with the Waldensians, and his belief that the Inquisitors, in persecuting them, were sinning against God. What means were employed to overcome his constancy we know not; but he wavered so far as to swear that he renounced the Waldensian sect, and promise that he would help to seize its followers wherever he could find them. Perhaps the dread of scandal, as they would call it, induced the Inquisitors to release him from durance without im-

posing penance on him, and allow him to return into Gascony, where he again joined the Waldensians, visited their congregations from place to place, ate and drank in their houses, and everywhere united in their secret worship. Often, at night, he listened to their readings of the Gospels and Epistles in the vulgar tongue, followed by earnest expositions and exhortations. Still, pursuing that fatal policy of concealment and consequent equivocation, which so frequently injured the work of God far more than the utmost violence of its enemies ever could, he continued to officiate as a Romish priest. During fourteen years he had thus dissimulated, sometimes elevating the host, and sometimes visiting imprisoned brethren, and conveying food and clothing into their prisons,\* at the hazard of his life.

At length, in October, 1311, he was again arrested in Toulouse, and brought before the Inquisitor. The register of his abjuration at Besançon was produced; and as there could be no mercy for one relapsed, he was finally condemned. This is the sentence:—"Since the Church has nothing more that for thy demerits she can do against thee, We pronounce and declare by these presents that thou, John Philibert, presbyter, aforesaid, art to be degraded from thy holy orders; and, when degraded, art to be given over to the secular court and judgment; and from that time we hereby leave thee to that court, affectionately praying the same, as the canonical sanctions advise, to preserve thy life and limb unhurt, and allowing thee, if thou wilt worthily repent, the sacrament of penance and the eucharist." From this we may fairly infer that he had not repented; but that at last, as he had so often been exhorted in the discourses of the Waldensians of Gascony, he preferred suffering death to making shipwreck of his conscience. And he was

\* The Inquisition had not, as yet, its own dungeons. The common prisons were open to visitors; and on visitors the prisoners chiefly depended for daily food.

quickly martyred. His diocesan, the Bishop of Auch, had died; so that there was no one empowered to degrade him except the Pope. Pope John XXII., then at Avignon, himself a Frenchman, and formerly bishop in the very province of Toulouse, gladly issued a Bull, authorizing the Archbishop to degrade John Philibert, and give him over to the secular arm.

On Sunday, June 15th, 1320, the Archbishop proceeded to the cathedral, and, surrounded by a multitude of clergy of all degrees, "zealous for the orthodox faith," and by a greater multitude of laity, had the delinquent presbyter brought from prison, attired in his robes, and set on high in view of all, to hear the records of previous examinations rehearsed, and the Papal warrant of degradation read. While this was done, one Raymund Fish sat by, taking notes of the formalities. The form of degradation, as prescribed by the Metropolitan, was after this manner. The martyr being clad in robes of all the orders, with all sorts of sacred vessels and sacramental symbols placed on the credence, they took a chalice and paten from his hand, to divest him of power to say mass. They stripped him of the sacerdotal stole, to signify that among the Waldenses he had lost the robe of innocence, and, therewith, forfeited the office of the priesthood. With the dalmatic, they removed "the ornament of the diaconate, the garment of gladness, and the vesture of salvation." Taking from his hand a book of the Gospels, they deprived him of "power to read the office in the church of God." The deacon's robe was taken from his shoulders, and with it the power of exercising the functions of the deacon's office; and the instruments of that office, a chalice, paten, pitcher (*urceolus*), water, and finger-cloth, were taken from him, to denote that he was prohibited their future use. In like manner, the tunic of sub-deacon was removed, showing that, with the ornament of that office, he had lost the use of it unto righteousness and health. From his left arm they took the maniple of

the sub-diaconate, and the ministry thereby designated. They made him deliver up the book of Epistles, out of which he had learned more than it liked them he should know, and thus took away the faculty of reading the Epistles in the church. The instrument with which the acolyth lights candles being snatched away from him, he learned that he should thenceforth have no authority to light them. So with the pitcher, again removed, passed away his authority to mingle water with the sacramental wine. With the book of exorcisms too, they withdrew the faculty which the Church professes to bestow on her meaner ministers to cast out devils,—a service which their superiors may well be excused from. And his reader's book being taken, his lips were closed from reading in the congregation. Lastly, they took out of his hand the keys of the church, inasmuch as he might not open the church, nor enter it again.

Then, in the name of the Holy Trinity, Raymund Fish declared that he was deposed and degraded from every ecclesiastical order, honour, benefice, and privilege. "And, nevertheless, we pronounce and say to the noble man, Lord Guyard Guy, Seneschal of Toulouse, here present, that he may receive thee, now degraded, into his jurisdiction. Yet we instantly require and pray him that he would so temper his sentence concerning thee, *that thou mayest not be in peril of death, nor suffer mutilation of limb.*" The Presbyter Philibert had dwindled down, degree by degree, from the superhuman dignity of priest into the vile estate of layman. Yet one vestige of his former dignity remained. The sacerdotal crown was on his head: to destroy this, a barber was employed, whose razor reduced him to entire baldness, and thus he stood before the crowd. Seized by the executioners, he was then dragged out of the cathedral, and thrown into the flames; and we may hope that the truthful boldness of his latter days indicated the presence of the faith that God crowns with glory.



But the notary made no note of the victim's words, after they had consigned him to the mercy of Guyard Guy.\*

Not only did they burn the living, but the dead. In their examinations of the Waldenses and other reputed heretics, they obtained information of many who had died in their fellowship, and then issued formal sentences of condemnation. One such sentence will suffice for all. "Considering that the crime of heresy, because of its vastness and enormity, ought, according to both canonical and civil sanctions, not only to be punished in the living, but also in the dead; having God before our eyes," &c., &c., "we declare and pronounce the aforesaid" (two men and four women) "to have been receivers, believers, helpers, and abettors, when they were alive, of the Waldensian heretics; and that they died without repenting of the crime of Waldensian heresy which they had committed; and we condemn, as such, the said deceased men and women, and their memory. And we command, in sign of perdition, that the bones of the said William and Michael, and of the said women, if they can be distinguished from the bones of the faithful, be extumulated or exhumed from the sacred cemeteries, thrown out hence, and burned." This sentence was passed at Toulouse, in the last of the fourteen Sermons.†

\* On reference to the Sixth Book of Decretals, title ix. chap. 2, we find that the ceremony of degradation from the priesthood, as it now stands in the Pontifical, was introduced *together with the Inquisition*, in, or soon before, the year 1302.

† Romish hyenas have ever since employed themselves, on all possible opportunities, in digging for carcases of heretics. Up to the year 1831, it may be confidently affirmed, the bodies of deceased Protestants in all Spain were liable to the grossest outrage, which the populace were instructed to think it became them, as "good Catholics," to perpetrate. A royal decree then made the interment of an English Protestant permissible, where burial-grounds could be purchased and enclosed; but, where that was not the case, there could be no assurance that the grave would not be violated.

Assuming universal control, the Inquisition of Toulouse laid its hands on books as well as persons; and we find it stated that on November 28th, 1319, at the requisition and mandate of Bernard Guy, two large waggon-loads of Hebrew books, being as many as could be found in searching the houses of the Jews, were drawn through the streets of Toulouse, with a procession of servants of the royal court, and a crier going before, who proclaimed with a loud voice that the books, said to be copies of the Talmud, contained blasphemies against Christianity, and, having been examined by persons learned in the language, were to be burnt: and they were burnt accordingly. Gregory IX., a zealous persecutor of Jews, had commanded the Talmud to be burnt, which was done by the Chancellor of Paris in the year 1230, before an assemblage of clergy and people; and, after an interval of thirteen years, there was another solemn burning of the same great work in Paris, and probably in other parts of France, by order of Innocent IV. The works of Raymund Lully, father of oriental learning in Christendom, who gave his life for Christ in Africa, where the Moors stoned him to death, were burnt, by order of Gregory XI., in the year 1376. This was a revival of the old pagan custom of burning the sacred writings; and the allegation that there were blasphemies in the Talmud, and heresies in other books, however true it may have been, was insufficient to justify the method taken to silence, rather than to refute them. Here, however, we mark the beginning of the literary persecution which has been conducted by the Congregations of the Inquisition and the Index, up to the present time, as earnestly as at their first establishment. The ineffectual persecution can only provoke contempt.

Another incident from this Book of Sentences, and we have done with the Inquisition of Toulouse.

On Sunday, June 28th, 1321, the sound of a trumpet was heard in the market-place of *Castrum de*

Cordua, a town in the diocese of Albi. It was to summon the inhabitants to that place, in order to hear a Sermon, or proclamation of the two Inquisitors and their assistants, with the commissary and other representatives of the Bishop, whose letters patent, addressed to the consuls, or magistrates, were there produced and read. The consuls and their councillors hastened to the spot, bringing with them a petition, which was to be read in reply to the Bishop's pastoral, and the sentence of the Inquisitors.

The fact was, that when the Inquisitors had proceeded to exercise their vocation there, and imprisoned some of the inhabitants, the townsfolk turned out in a body, attempted to break into the dungeons, and poured forth volleys of threats on their priestly assailants. The Inquisitors fled in terror from the town, and published an anathema, which was followed by the fearful consequences of such a sentence, until the people were obliged to sue for mercy. The humble and reverent supplication, therefore, contained a recital of the offence and its penalty, and an offer, on the part of the inhabitants in general, of submission to whatever penance and retribution the Inquisitors might think proper to ordain. Piteously did they pray for absolution and release from the ban laid upon them, promising and swearing devout and perpetual obedience to the Inquisitors and their successors, to perform whatever it might please them to enjoin. The poor people called on the notaries there present to register the vow. The whole multitude of consuls and councillors, men, women, and children, set up a dolorous cry, in token of repentance, and in affirmation of the prayer. Then the Inquisitors and the commissary designed to accept the supplication, made the magistrates, one by one, swear to fulfil the conditions of pardon, and, holding up a book of the Gospels in sight of the people,—for it seems that they did not yet swear them on a crucifix,—required the whole multitude to raise their hands in abjuration of all purpose

to resist the Inquisition. The whole multitude then sang, mournfully, a penitential psalm; and, as the last notes died away, the commissary pronounced a formal absolution of all and each of the "university" of people in that place.

This done, the penance was enjoined. Considering the clemency of holy Church, and the penitential humiliation of both magistrates and people, the guardians of the faith ordained that the town should build a chapel, without prejudice of the parish-church, of a form and magnitude prescribed, and to be well furnished and endowed. It should be intitled with the name of Peter the Martyr,—that Dominican Inquisitor-General who lost his life in the cause of the Inquisition, by the hand of an assassin, between Milan and Como, in the year 1252, and whom the fraternity worship as their peculiar saint,\*—with three others, pictures of all of whom should be placed over the altar, and as many images of them in wood or stone. Outside the building were to be erected three stone statues, one for the Bishop, and one for each of the Inquisitors. The building, its sacred vessels and sacred pictures, with every ornament and appurtenance, was to be completed on the site chosen, to be of the material and magnitude required, and to be ready at the time appointed, under a heavy fine, which fine would be repeated every two years, until the finishing of the work. Added to this was a heavy tax, levied on the town for the solace of the Bishop and the Inquisitors, and recoverable at their discretion. And to bind them the more surely, a deed, engrossed in readiness, was signed and sealed upon the spot. The deed, moreover, empowered the Inquisition to do its pleasure in the town thenceforth, and thus gave it a legal sanction under the hand and seal of the magistrates themselves.

\* His name is in the Roman Martyrology at the 29th of April. This compulsory saint-worship, and practical participation in the whole system of Romish idolatry, must have been peculiarly afflic-

After such an event we cannot but say that the tribunal was fully established in France; and with this we close our notice of the Inquisition of Toulouse, merely observing that the followers of our Lord Jesus Christ were not the only persons subjected to punishment, since there were many accused, and no doubt guilty of immorality and witchcraft. Multitudes of Beguines, as they were called,—but what was the particular shade of their fanaticism is not yet ascertained,—were accused of the most disgusting impurities, far too monstrous to be credible, and were burnt alive as heretics. Perhaps the doctrine of Thomas Aquinas may be traced to his abhorrence of their alleged abominations.

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tive to the Waldenses, whose reverence for Holy Scripture and constant use of the Bible in their homes and congregations is so well known. In the Library of University College, Cambridge, there is what remains of a beautifully written little manuscript of the Gospels, in the version made by Stephen de Ansa in the twelfth century, the dialect being precisely the same as in the *Noble Leynon*. It is conveniently portable, and was no doubt well used by some itinerant Barbe, when visiting the members of his widely-scattered flock. An autotyped photograph exhibits a perfect facsimile of one page. [See *Biblical Monuments*, Croydon, MDCCCLXXI—LXXIII., Fig. 56. Waldensian MS.]. As this lies before me, the tender emphasis of one passage recalls the “Book of Sentences.” The translator writes:—*O coma es stretta la porta e aspra la via la qual amena a vita e poc son aquelli que troban ley*. “Oh, how narrow is the gate and rough the way that leadeth to life, and few are they that find it.” The marginal references on the page give great interest to the manuscript, and suggest the probability that this most valuable aid to biblical reading by the comparison of spiritual things with spiritual began with the Waldenses.

## CHAPTER V.

## FRANCE.

## IMPERFECT AND TEMPORARY ACTION.

PRACTITIONERS in Canon Law used to be familiar with the chapter *Inter sollicitudines*, which is in fact a Brief of Innocent III., addressed to the Archbishop of Sens. I cannot fix upon a point of time at which the history of an imperfect French Inquisition might more fitly begin than when this document was issued.

The chief solicitude of the third Innocent, as we have already seen, was to catch the little foxes that were trying to spoil the Lord's vineyard; their faces diverse, and their tails tied together with a band of vanity, the foxes "agreeing together in the same." They mingled water with the wine; they mixed dragon's venom in a golden Babylonian cup; they levelled their arrows to shoot at the innocent in secret. Their error was like the sprouting blossom, which must be nipped early, or it will never be destroyed, and the Church will be covered with bitter fruit. From such,—for so the apostle taught,—from such the faithful were to turn away. "Against them," cried Innocent, "let the priests sound their silver trumpets loud and clear, and call out the people. Let the ark of the Lord go forward. Let the walls of Jericho be overthrown. Let them be crushed under a perpetual curse."

The Archbishop of Sens, whom the Pope complimented as a man devout and provident, might fulfil the duty of a true shepherd, exercise pastoral care over his flock, be zealous for the law of Christ, attack the heretics, unsheath the sword of canonical vengeance,

and strike down them and their abettors. He must catch the little foxes, and either kill them all, or send them off the ground.

This declamation was followed by an interesting event.

At the town of Charité, now included in the department of Nièvre, the bishop of the diocese, and his brother-bishop of Meaux, had assembled the population of that place and neighbourhood, and bidden them hunt out all persons whom common report or private suspicion marked as likely to be heretics. Such an one was the Dean of Nevers, whose conduct had given great offence to the zealots. Him, on account of vehement suspicion and grave scandal, the Metropolitan had suspended from the exercise of priestly functions, and commanded to appear for trial on a day appointed at Melun, and hold himself ready to answer to a charge of heresy. He came accordingly, and found a court at that time new in France, constituted by the Archbishop of Sens, and consisting of himself, the Bishops of Melun and Nevers, and many Doctors of Civil and Canon Law; but there was no accuser, and the Archbishop undertook the twofold office of prosecutor and judge. Witnesses were examined on both sides, and their depositions were made public; but the evidence was not sufficient for conviction. The law of Inquisition was not yet matured; and the forms of justice shielded the Dean from a sentence that could not be sustained in any civil court, where evidence of indisputable fact was necessary for the establishment of guilt. The accused, therefore, confidently demanded a sentence of acquittal; but the Archbishop could not bring himself to pronounce it. So the Dean was not convicted of heresy; but he had shown humanity to some that were, and the Archbishop postponed his decision until advice should be taken with the Bishops, his colleagues in court, and also with the Bishop of Troyes.

Advice was taken accordingly; but the four prelates

could not dare to condemn their fellow-priest, inasmuch as the trial had been public, the facts were well known, and public opinion, if the Dean had suffered, would have pronounced them guilty of shedding innocent blood. In this dilemma they sent him out of his own country, to be tried again in Rome, there to receive a definitive sentence. The cardinals in consistory examined him, but his profession of Romish faith was clear; and so their Eminences thought fit to recommend that he should return to France, and be allowed the revenue of his deanery, but remain under suspension from priestly functions, in penalty of suspicion. Then, if he was heard to preach against his old friends the priests, and if he fell under the least suspicion among them, or committed the slightest indiscretion, the Archbishop was instantly to draw the sword of justice from the scabbard, and punish him without pity.\* Up to this time, then, there were no purely inquisitorial laws acknowledged in France to be in force; but in case of alleged offence against the faith, the form of trial did not yet vary materially from that of civil courts.

During the same tumultuary inquisition at La Charité, an abbot was brought before the bishops under suspicion of heresy, but also without evidence to prove it. In defect of power, the Inquisitors sent him to Rome in like manner; and Innocent, glad to find some reason or pretext for giving a severer sentence, sent him back to France, under orders to the Archbishop of Paris, to have him consigned to perpetual imprisonment in a monastery.†

The same course was pursued by this Pontiff to the end of his reign. Legates, or commissaries, first empowered to represent him in causes of faith, in the year 1203, were chiefly active in promoting a second crusade against the Albigenses, in which the notorious Count Simon of Montfort made himself conspicuous, ravaging a flourishing district with every form of

\* *Innocent. III. PP. Regestorum* lib. ii., num. 63, Maii 7, 1199.

† *Ibid.*, num. 99, Junii 19, 1199.



brute force, and slaughtering an untold multitude of victims. Other similar commissions were appointed from time to time; the Pope always reserving to himself the final sentence, until the establishment in France of a separate tribunal, about thirty years after the death of Innocent.

The choice of papal nuncios or legate to France was determined by the fitness of individuals chosen for that office for serving the pleasure of Inquisitors. So we find that Pope Pius IV. wrote in a letter to two of his Nuncios, that the Emperor Frederick II. had complained of his appointing some one to the office of legate through spite against himself, and partiality to the Count of the Province of Avignon, but declared that in making the appointment he had thought nothing of "that prince," and calls God to witness that he had merely chosen the new legate at the request of the Dominican Preachers with a view to the punishment of heretics and their abettors, and instructed him accordingly.\*

Here I must observe that if one were to read only the solemn decrees, constitutions, bulls, and statutes promulgated in those times for the repression of all independent thought on matters of religion, and for the punishment of every one who, in thought or speech, was known or suspected to depart in the least from the appointed standard, he might be disposed to attribute the severity of ecclesiastics to a sincere jealousy for the purity of religion. Nothing could exceed their care to preserve unchanged the formulas of doctrine, even to the last syllable. There was an air of honesty and self-devotion in much of these proceedings; and, in their zeal to root out the tares, as they would say, from among the wheat, they often exposed themselves to peril, and braved the execrations of the people with a firmness which looked like heroism, and seemed worthy of even a confessor's faith. At first glance we think we can perceive some-

\* *Baronii Annales*, A.D., 1243, *Epist. Pii IV. ad Archiepisc. Rothomagensi*, etc.

thing very like sincere disinterestedness in their conduct, although it was equally distinguished by cruelty and self-abandonment. It might for a moment be thought that the restless anxieties of Councils to preserve a system of theology intact should, in fairness, be allowed to indicate a conscientious watchfulness over that which those men fought for against entire provinces, and for which they hazarded not only reputation, but life itself.

But it is obvious that there was united with all that seemingly self-renouncing zeal a spirit contrary to the spirit of Christianity; and objectors must be reminded that no amount of zeal alone can certainly indicate that tenderness of conscience which distinguishes true Christianity.

Still there is an exuberant charity which this answer does not satisfy. Great sincerity, it is said, may consist with grievous error; and a persecutor may live in good conscience, as did Saul of Tarsus.

The proposition is true, but the argument is fallacious, and if we are to measure the standard of Christianity in a church or a generation, we must take a comprehensive view of all that contributes to make up the church, or form the doctrine or influence the manners. If we would estimate the character of the dominant religion in France during the reign of Louis IX., for example, we must first ascertain what manner of persons were the priests and people of that time. Now, it is certain that the imagination of ecclesiastics, as it found expression in their language, was never more turbid; nor was the casuistry of theologians ever more demoralising; nor were the manners of clergy and laity ever more licentious. I cannot unlock the confessional to produce evidence thence; but I have observed, that whatever impurity is now to be found, almost under seal, in the books of Dens and Liguori, was met with openly, was exhibited fresh and undisguised, in the reign of Saint Louis and during the pontificate of Gregory IX.

Certain "Inedited Precepts" of the ancient Diocese of Rouen,\* revealing what is unutterably foul, reminds us that the grossest sensualities are habitually mentioned as of perpetual occurrence in all classes of society, in all situations of domestic life, with clergy and laity, in the homes of the people, and under consecrated roofs. Yet while the severest ban closed every door of pity against the excommunicate, and while no shade of discretion was allowed a humane priest in dealing with a person suspected of the lightest taint of heresy, and the administration of penitential discipline was conducted with a stern sagacity that nothing could escape, penances that could never be enforced were written down for the transgressions of the licentious, but little more than written down. No one really performed them; for they were so long, so heavy, and so numerous, as to defy infliction, and by mere excess became ridiculous. Then the floodgate was thrown open to all vices by sentences like these: "Because the frailty of our times cannot abide censure of so great rigour, let the priests attemper it with prayers, alms, and other satisfactions, as far as they know how, or as they may consider to be expedient." And at the same time that the Inquisitors were strictly instructed not to spare any one on account of age or sex, confessors were taught, that "as, on account of the tenderness of the female sex, this severity cannot be at all observed, (*non valeat omnino observari*), let priests be careful, when such women confess to them, that they add the oil of discreet mercy to the wine of the canon, and so temper penance, that the penitent be not overwhelmed by the immensity of its weight, nor, by undue indulgence, be left, most cruelly, to the fire of purgatory."

A dissolute woman,† who, at the best, would now

\* *Præcepta Antiqua Diocesis Rothomagensis*, A. D. 1235.

† XCVIII. *Femina quæ cum patre spiritali fuerit fornicata, omnia derelinquat, et res suas pauperibus tradat; et, conversa in monasterio, Deo usque ad mortem servet.*

be admitted into a reformatory, was sent to a nunnery to "serve God ;" while a matron of unspotted life, if known to ask a blessing on her food in a form unauthorised, would be flung into a dungeon if not into the fire. This was a monstrous inconsistency, to say the least. The Church, supposing for an instant that she could take the place of God and forgive sins, might be applauded for tenderness to the feeble, and even forgiven for some excess of tenderness to those whom her own ministers led into transgression ; but it is most remarkable that while the French, like all the other clergy, would spare such transgressors both from penance and purgatory, they were relentless towards the most unblemished in life and reputation, if the pestilential breath of a suspicion of heresy had ever fallen on them. These, as heretics, must go to the dungeon, to the stake, and to hell. After this we cannot say much in commendation of the Christianity of that age.

Now to resume the thread of our history.

After the crusade preached by Bernard in the eleventh century, renewed by Innocent III., and headed by such princes as could be persuaded to engage in it from time to time, Gregory IX. wrote a letter, addressed to the Minister of the Friars Minors in Navarre, and to the Master of the Friars Preachers in Pampelona, reminding them that he had given the sword of the word of God into their hands, which, according to the sentence of the prophet, they were not to keep back from blood ; but, after the example of Phinehas, "zealot of the Catholic faith," were to proceed against them, and, if necessary (*si opus fuerit*), were to call in the aid of the secular arm. They, the monks, might kill if they could—that is to say, if they could get the faithful to revive the crusade ; but, if not, the fire of mad fanaticism being nearly spent, they were to call in the secular authority to kill for them. Strange it is, then, that in the face of this epistle, which may be found in Bzovius (A.D. 1235),

any one should dare to say that the Inquisition was established to prevent the people from killing the heretics, and to substitute a humane court, thrifty of life, in order to save the Albigenses from being slaughtered. Yet this has been said.

The secular authority was accordingly invoked; and, obedient to the summons, Louis IX. prayed Alexander IV. to establish Inquisitors of the faith over all France. The fiction of a secular origin to the sanguinary scheme thus received some colour; and, in pretended concession to the prayer of the King, the Prior of the Dominicans at Paris was invested with authority to be Inquisitor-General of the whole kingdom of France, as well as the county of Toulouse.

How the Inquisition of Toulouse proceeded, we have learned from the "Book of Sentences," archived in that city; and if Papal authorities could have prevailed over all other, the Gallican Church would soon have been laid prostrate under their feet, as is evident from the instances already cited. The clergy, however, resisted the Roman innovation; and when Frenchmen fled from their dwellings through fear of the Inquisition, the priests allowed them to take refuge in the churches, where, by right of asylum, they were safe. Nicholas IV., indeed, willing to sacrifice anything to the reigning passion for destroying heresy, gave a Bull, empowering the officers of the new institution to drag fugitives from the altars; and in so doing, to set at nought one of the proudest, yet most unreasonable, and even dangerous, privileges of the Church herself. For a time, no doubt, sanctuary was broken; no consideration of humanity or of sanctity could suffice to shield a suspected person from the rage of his pursuer: but the relations of the civil and ecclesiastical jurisdictions, and the right of the bishops and archbishops to an independent jurisdiction within their own provinces, were too closely studied, and too earnestly maintained, to allow the Pontiffs, or their

delegates the Inquisitors, to exercise an absolute power even over heretics.

The ecclesiastical history of France, like that of Europe, is full of controversy between Church and State, and also between the clergy and their Roman chief; and from this conflict of interests it resulted that the Inquisition, as a permanent court, was at the worst of times less conspicuous in France than in some other countries, and that civil officers and dragoons did there what priests and familiars have done elsewhere.

During four or five centuries the contending powers of the Papacy and the King or the Parliaments, or both King and Parliaments together, found alternate ascendancy; each change of position depending on the usual efforts of intrigue, or interest, or force. At one time we find Philip the Fair subjecting Fulco, a blood-thirsty Inquisitor in Aquitaine, to an inquest by commissioners, and requiring that heretics shall be sent to royal prisons, and not to the dungeons of the "Holy House," and be released forthwith, unless the seneschal concurs in the prosecution. But Philip is excommunicated, and France put under interdict. Then heresy, so called, spreads the more. At another time, Gregory XI. urges King Charles V. to issue edicts, and send commissioners, to hold up the falling Inquisition. Then the obedient King hastens to prove his loyalty to Rome, thunders threatenings, dispatches auxiliaries to the Serjeants of the Faith, crams the royal jails with suspected people, and causes new prisons to be built and filled, in order that no possible endeavour may be wanting to preserve those dregs of Christianity which were called "the Faith."

One of those new erections was the Bastille of S. Antoine, in Paris, which became the most horrible of all state prisons. It was, of course, a royal prison, and not meant to be placed at the service of the Church exclusively; but the very first person therein immured was one under suspicion of heresy. Hugues

Aubriot, Provost of the Merchants, by command of the King, laid the first stone of what was to answer the two-fold intention of prison and fortress, on the 22nd of April, 1369. Ere the building was well finished, the Provost himself, although he had stood very high in royal favour, and was considered to have great influence at Court, incurred the displeasure of the clergy, was accused of impiety and heresy, condemned to perpetual imprisonment, and locked up in a chamber of the Bastille, the first captive that ever wept within its walls. In the year 1381, during an insurrection in Paris, provoked by excessive taxation of the inhabitants, a strong body of men burst the gates, brought out Aubriot, and made him their chief. He escaped from that position, and fled from France; but there had fallen a curse on the Bastille that never left it until that day, in 1789, when the first stroke of the French Revolution fell upon it, set free its last captives, demolished its fortifications, swept clear the site, and left nothing of it but the hateful memory. Not without reason, the Bastille has been sometimes called the French Inquisition.

For a time it seemed as if the cause of God was lost. But still there was a spark of truth smouldering in the ashes of the martyrs; the breath of Reformation quickened it after long darkness, and forthwith another inevitable missive from Pope Clement VII. renewed Inquisitorial severities. Paul IV. repeated the experiment of a Bull to establish the Inquisition in full strength and form; but the Parliament of Paris refused to register it, and by that refusal nullified its power in France.

But Popes and their servants laugh at Parliaments when it seems possible to laugh with impunity; and after this rebuff (A.D. 1559), when the south of Europe was mad against the Reformation,—which seemed, just in the last year of Mary, to be crushed in England,—King Henry II., advised by Cardinal Caraffa, proposed to establish a strong Court of Inquisition in

France, after the model of that in Spain. His ministers, however, dissuaded him from an attempt which might provoke a civil war; and he was forced to be content with asking for a prelate or a doctor to be delegated from the Pope, to conduct a sort of ambulatory tribunal, disguised under another name, but effecting the same work. Such a scheme was tried, but came to little. Inquisitors by stealth were auxiliaries rather than principals in persecuting the Reformed. They were invested with the office, but could not exercise it, as in Spain, apart from the observation and control of the civil magistrate. To relate what they procured to be done, in regard to the Reformed, would be to recite the whole history of the sufferings of the Huguenots, and to stray far beyond the limits of our chosen field.

But the Huguenots were not the only persons marked for discipline. One Matthew Ori, a Dominican, who for many years bore the title of Inquisitor-General of France, has a name the more certainly preserved from oblivion, as on him devolved the service of watching the eccentricities of young Ignatius of Loyola, afterwards founder of the Society of Jesus. Ignatius was for some time a student in the University of Paris. Ori had him taken into custody, subjected him to searching examinations, and put his famous "Book of Spiritual Exercises" under censorship. Not without considerable difficulty could Ignatius persuade the sacred Searcher of the Faith to be satisfied of his orthodoxy; and there is said to be some reason to believe that his mind had once wavered between the old superstition and the religion of the martyrs.\*

The same Ori did his best to hinder the publication of the Holy Scriptures in England. Richard Grafton, as may be remembered, and Edward Whitchurch, went over to Paris, to endeavour to print Coverdale's Bible, paper and labour being cheaper there than in

\* ORLANDINI, *Hist. Societ. Jesu.*, i., 70—98; ii., 51.



London. In compliance with a request from our King Henry VIII., the King of France, Francis I., gave them a licence, granting "sufficient and legitimate liberty" to print this Bible in Latin and English, and "without any disturbance, trouble, or impediment whatever," convey the copies to England. Supported by royal authority, they soon executed their commission; and the sacred volume was nearly through the press when Ori pounced upon the printer. A copy of his order to prosecute the printer, and of the French King's licence to print the book, may be found among the manuscripts in the British Museum. The former, dated 17th December, 1538, was issued by Henry Garvais, Prior of the Dominicans in Paris, and Vicar-General of Ori, setting forth "that, since making translations of the sacred Scriptures, as well of the Old Testament as of the New, into the mother tongue, which come into the hands of the simple, it is found in these last days that some have taken occasion of error in the faith; and that it is provided by edicts of the Supreme Court of Parliament," (setting at nought the authority of the King, an authority which his Majesty had full right to exercise in regard to foreigners desiring a book in a foreign language), "that none should print the Old and New Testament in his mother tongue, or sell it, being printed; and that it was known to him" (Ori) "that one Francis Regnault, a bookseller of the city of Paris, did print the Bible in the vulgar Britannie or English language, by reason of which scandals and errors might arise in the Church; therefore he gave his orders to all priests, vicars, curates, &c., to cite the said F. Regnault, and all others whom it might concern, to answer, &c. And he inhibited them, under canonical pains, from printing the said Bible, or making away, or concealing, the sheets already printed."\* This document was signed and sealed by Le Tellier, Notary of the Inquisition.

\* Cleopatra, E. V.

Regnault was quickly brought before that tribunal, and there charged with certain articles of heresy; and even the Englishmen were summoned thither, including Miles Coverdale himself. These fled, and the whole impression, consisting of 2,500 copies, fell into the hands of Ori. Part was burnt in the Place Maubert, by order of the Lieutenant Criminal, and the remainder was sold as waste paper. In the year 1540 the blessed book was printed, far more suitably, in London.

King Francis had but coldly complied with the request of the King of England. Other persecutors, with him, were well pleased to employ the Inquisitors as their agents; and from that time onward they trod steadily in the footsteps of Chief Inquisitor Ori, labouring to suppress the Reformation in France, and keep it out of the University. Often they detected secret companies of worshippers, many of whom the soldiers cut to pieces. But the Kings generally eyed the Inquisitors with distrust.

In the beginning of the seventeenth century we find that portion of the Canon law which relates to this department of ecclesiastical government enforced in Spain; and the Directorium of Farinacius, the latest guide printed in Rome, was then published in France under the direct sanction of Louis XIII., to serve, of course, for the instruction of the Inquisitors, who had persisted in exercising their functions. But in the reign of his successor, Louis XIV., the power of Inquisitors was irrecoverably crushed. In the year 1643 this sovereign ascended the throne, and under his regal power their few remaining prerogatives gradually dwindled away. For example: they had been empowered to scrutinise all elections to the Chapter of Toulouse, and to quash the election of any Canon elect whom it might please them to suspect of heresy. But in 1646 an order of the Council deprived them of that offensive privilege, and the Archbishop of Toulouse, Charles de Monchal, for himself and his

successors, received full authority to judge of the qualifications of persons to be preferred to capitular dignity.\*

A measure of yet higher importance, concerning the entire kingdom, and influencing the relations of the Papacy and the Episcopate for ages to come, distinguished the long reign of the fourteenth Louis, but arose from what might seem, at first sight to be but a trifling incident. A nuncio of Innocent X. having presumed to condemn a tract printed in France in opposition to a decree of the Congregation of the Holy Office in Rome, the Parliament of Paris rose in indignation, and declared that congregations of the Roman Curia had no jurisdiction in France, nor had the Pope any right to publish such decrees. This disagreement grew into a set controversy concerning the relative rights of King and Pope, until, in the year 1682, the high clergy sided with the Crown; and, at their Assembly in Paris, made the memorable declaration that they had power to manage their own affairs independently of the Roman See. This was a heavy blow to the Inquisitorial Order founded by Santo Domingo de Guzman.

After this, the Inquisition could no longer maintain a separate existence in the country, however much desired by some politicians to be made use of as an engine of absolute regal government. The Gallican clergy, at this time half emancipated, gave a solemn judgment that kings hold their authority independently of popes, who cannot justly have any power over them. The Supreme Council of the Spanish Inquisition, on the contrary, launched a censure, condemning this proposition of the French clergy as heretical; but their attempted interference was regarded with contempt. Yet the same clergy, while they maintained a political principle necessary to the security of their nation, were at the height of rage against the Huguenots; and the Parisian and provin-

\* HELYOT, *Histoire des Ordres Religieux*, 3<sup>me</sup> Partie, chap. xxv.

cial Parliaments were carrying on as horrible a persecution as the world ever saw. The dragonnades were filling France with slaughter. In the third year after the publication of the famous Four Articles of the metropolitan Assembly, came the calamitous revocation of the Edict of Nantes; and the French history of those times tells us, in every sentence, what universal history confirms, that, without the truth of Christianity and the love of Christ, to talk of ecclesiastical independence and national dignity is but mockery. And it is certain that the Gallican clergy would have cared little to oppose the Inquisition, if the Courts of Paris and Rome had not been at variance on questions of temporal emolument, and of regal or pontifical prerogative.

It is also certain, that although the French clergy once resisted the Court of Rome, when that Court condemned a writing which it had pleased them to approve; and although the Holy Office has never been able to erect its own palaces and prisons in France; the same clergy have been quite ready to acknowledge the authority, and even to solicit the decisions, of the Roman Congregation. Repeatedly did these bishops and clergy solicit the Pope to condemn the *Augustinus* of Cornelius Jansenius, or the propositions extracted from that book, attributed to Jansenius himself, and said to constitute the distinguishing marks of Jansenism. And by the action of the Inquisition against Jansenism, we shall learn how it can act *on* a country, while yet its tribunals may not be tolerated *in* it. By this we are prepared to understand how the Inquisition, so long as its chief officers find a chamber in which to work, whether in Rome or elsewhere, can exert a powerful authority over the Romish populations throughout the world. To illustrate this very important matter, it will be sufficient to exhibit the inquisitorial sentence which imposed silence on the disputants in that famous quarrel.

In a general congregation of the Holy Roman and Universal Inquisition, holden in the Quirinal on January 28th, 1694, before Innocent XII. and the Cardinals Inquisitors, their Eminences decreed, — “That concerning the five propositions of the book of Cornelius Jansenius, condemned by a formulary, with sanction of Alexander VII., no one should thenceforth dispute.” Silence, in regard to a dispute that was agitated with vehemence by both parties, was peremptorily imposed on all. All the clergy, both secular and regular, and all the laity, were commanded to hush their disputation, and shut up their thoughts in silence, “perpetual silence.” The mandate prohibited all books, tractates, theses, compositions, — all writings on that subject, all writings, whether published incidentally, or under any pretext or occasion. It commanded such writings to be regarded as forbidden, and required that no man should dare to print; or cause to be printed, any books, &c., treating on such subjects. And that this decree might be inviolably and thoroughly observed, it commanded and declared that all who broke it should be deprived of their dignities and offices, of active and passive votes, of power to preach, read, teach, or interpret publicly, &c., &c. And the Roman and Universal Inquisition further “ordered and commanded, that printers acting against this decision should suffer pecuniary and bodily penalties, besides losing their copies of the books.”\*

This was to be binding wherever the clergy could make it so; and the Pope issued a Brief to the Bishops of Belgium, requiring them also to enforce perpetual silence on priests and people. Tongues, indeed, could not be kept still; but the commands were stubbornly reiterated; and among the things forbidden was the reading of the Holy Scriptures in a vernacular lan-

\* *Œuvres de Messire Antoine Arnauld*, Paris, 1789, tome xxv., p. 360.

guage, and all other books in the Index prohibited.\* So did France at that time pretend to assert her dignity by suppressing French courts of Inquisition, but in later times incurred lasting disgrace by virtually abandoning the famous Declaration of 1682, and leaving French subjects in France in actual submission to the Supreme Court of Inquisition in Rome.

Of books prohibited, none were more famous than the "Moral Reflections" of Quesnel on the New Testament. To annihilate this piece of moral exposition, Clement XI. launched the Bull *Unigenitus* (September 8th, 1713), which the messenger of "the most holy Inquisition" publicly affixed to the gates of St. Peter's, the Palace of the Inquisition, and other accustomed places. But the French clergy manifested a general repugnance to this ostentation of Papal authority, and were encouraged in resisting it by the Cardinal de Noailles, Archbishop of Paris, who bestowed high commendations on the Jansenist notes, and openly countenanced the party.

Clement, burning, he said, with "zeal of God," addressed a stern expostulation (February 26th, 1715) to the Cardinal, whom he rebuked for encouraging the heterodox Reformed in their contumacy, and contrasted the Cardinal's indulgence of propagators of error with the "unconquerable fortitude and immortal glory" of that "most Christian King" whose fury deluged France with blood, and whose reign is marked with everlasting infamy by the revocation of the Edict of Nantes. The Cardinal received the censure with indifference. The Roman Congregation saw with anger how he persisted in his connivance with heresy; and, after an uneasy forbearance through two years, the impatient Pontiff wrote him another letter of entreaty (March 25th, 1717), softened, however, as the first had been, with an official "apostolic benediction."

\* *Œuvres de Messire Antoine Arnauld*, Paris, 1789, tome xxv., pp. 362—368.

In contempt of those idle benedictions, the Cardinal still persisted. The Congregation of the Holy Office condemned books written against the Bull by the Bishops of Boulogne and Bayonne, and by the Bishop Count of Chalons, peer of France; but each time that the notary Bartoli appended his name to a sentence condemnatory, or to an invitation to denounce the readers of those books to the most Holy Office, he only added a fresh charm to the obnoxious writings, greatly advanced the reputation of their authors, and gave decision and permanence to the peculiar character that long distinguished the Canonists, and even the theologians of the Gallican Church.

The Roman Congregation persistently directed the faithful in France to lay information against delinquent authors, and the Inquisitors in Italy were pressing instructed to proceed against them according to the style of the Holy Office; and no doubt those Inquisitors were but too ready to do as they were bidden. But, in cool contempt of all their threatenings, the Cardinal de Noailles heartily espoused the cause of his Gallican brethren, and actually issued a Pastoral Instruction, wherein he applauded sentiments put forth by Bossuet, in explicit justification of Quesnel. This drew down upon the Cardinal Archbishop's performance a similar condemnation (August 12th, 1719); but the Holy Office could not venture to approach his person. Clement, indeed, had sent a Brief to the Archbishop of Rheims, as Primate of France, commanding him and his suffragans to search out and punish heretics with the utmost rigour of Canon Law (June 17th, 1717); but the Inquisition had not a single authorised tribunal in the kingdom, and the most devoted lieges of the Papacy were unable to second the fruitless intentions of their chief.\*

Here, then, the story of the Inquisition in France

\* *Clementis XI. Opera, Romæ*, 1729, i., 1114; ii., 2055—2251.

ought to end, but the Dominicans have boasted that they could manage, and, in effect, *did* manage for some time, to maintain two illicit tribunals in the kingdom, one at Toulouse, and the other in Carcassonne, where, in the present century, seats of propagandism also have been established, but with very indifferent success. \*

How the Congregation of the Index, which was in reality a branch of the Inquisition, contended with France, and for how long time, it would be tedious to tell, and the quarrel has been related so fully, that it needs not be repeated here, but a few words may suffice as to one other instance of vexatious interference. More than two centuries after the exploits of Ori, the following case was recorded in the Register of the Parliament of Bretagne, under date of 18th August, 1763. On that day, the chamber being assembled, the Procureur of the King entered the Court, and said that the Parliament of Paris having announced to the Bishops within their jurisdiction that a collection of extravagant assertions and extraordinary propositions, extracted from the books of Jesuits lately expelled from the kingdom in France,† had been published on the 27th December, 1762, the Bishop of Soisson had issued in his diocese an ordinance and pastoral instructions condemning those scandalous propositions, at the same time laying down a system of sound and pure doctrine to serve as a preservative against the doctrine they contained. But he further announced that a Decree of the Roman Inquisition of April 13th, 1763, had condemned the ordinance of the French Bishop. The said inquisitorial decree had been published in Rome, affixed in the usual places on the 27th of the same month, and was

\* HELYOT, iii., page 221.

† The reader may be reminded that the Jesuits were expelled from France, Spain, and Portugal for several years before the formal suppression of the order by Clement XIV. in 1773. The French expulsion of that time is the event here referred to.



then circulated in the capital and provinces of France. "This decree," said the Procureur, "the public ministry lays before you," the Parliament of Bretagne, "this day, as an attack upon the rights of the nation, the liberties of the Gallican Church, and the prerogatives of the Episcopate, etc." The Parliament manifested due indignation that a congregation established at Rome, and composed of mere officers of the Pope, should have dared to decide in the first instance on an affair of the French Kingdom; that a tribunal without jurisdiction in the Church—a tribunal not according to the canons—a tribunal whose functions were a hateful inquisition, had dared to judge a Bishop of the Gallican Church. The spirit which animated the French parliaments prevailed with the French people, and after the struggle of a few centuries, all hope of establishing a tribunal of the Inquisition in France was utterly abandoned, but through the clergy, and priestly party of the laity, the decisions of the Congregation of the Index have sometimes commanded a degree of submission quite incompatible with national independence.

## CHAPTER VI.

## LAWS AND CUSTOMS.

1. INTRODUCTORY.—2. PROSECUTION.—3. WITNESSES.—4. EXAMINATION OF THE PRISONER.—5. DEFENCE.—6. TORTURE.—7. ABSOLUTION.—8. CANONICAL PURGATION.—9. ABJURATION.—10. FINES AND CONFISCATION.—11. LIGHTER PENANCE.—12. FLOGGING.—13. DISABILITY AND INFAMY.—14. PERPETUAL PRISON.—15. FUGITIVES AND REBELS.—16. DELIVERY TO THE SECULAR ARM.—17. SUBJECTS OF INQUISITORIAL JURISDICTION.—18. PRIVILEGES.—19. INDULGENCES.

## 1. INTRODUCTORY.

BEFORE proceeding further, I give a summary account of the laws and customs observed by the Inquisition when fully established, and which are, therefore, constantly alluded to. It will serve the reader as a chapter of reference.

During about two centuries and a half, the Inquisition was advancing towards an established form. At Toulouse, indeed, it soon became complete, although not yet independent of the bishops, as in after-times. There, at Carcassonne, and probably at a few other places, the Inquisitors had *houses*, that is to say, courts and prisons, for the exercise of their juridical authority. At first they proceeded arbitrarily, using all means within reach for the accomplishment of their purpose, but without any code of instructions. From time to time, the Popes issued Bulls or Briefs, just as circumstances might require, or inclination lead, and generally with respect to some district, or to meet some case occurring; and, as every document of the kind had the full authority of the Roman See, it was carefully preserved, and afterwards referred to as conveying universal sanction. As the Canon Law in general is

made up of such documents, so, for the most part, was the ever-growing code of the Inquisition.

The *Secret* began early. It was always necessary for the management of affairs which could not be divulged with safety to the persons acting. The pontificate of the notorious Boniface VIII., from 1294 to 1303, is more particularly marked as the time when secret examinations became acknowledged in inquisitorial jurisprudence; and gave the Courts of Inquisition, at once and for ever, a character of their own. Terror, and sometimes bodily torture, were made use of to assist the notaries to make up reports of confession; and it is remarkable that the evidence preserved in the Tolosan Sentences from 1307 to 1322, entirely consists of alleged *confessions*, which would not have been the case if any method of humane and fair investigation was followed. First, familiars and other informers gave the Inquisitors intelligence enough, whether true or false, to involve the persons informed against in suspicion of heresy; and, this being done, the suspected person was required to confess; then, as we have already seen, the most trifling word or action was considered sufficient evidence of his being a heretic, or of having aided, abetted, or approved of, heretics.

The action of "the ancient Inquisition" was various and irregular.

In France it appears as a sequel of the crusades of Bernard and Montfort; but when the first zeal of the kings who obtained the annexation of Toulouse to their territory, by the ruin of its counts and the depopulation of the towns, had passed away, the Holy Office fell. The Gallican clergy could then more effectually resist the encroachments of a tribunal wherein the Pope was directly represented, to the derogation of their episcopal rights, while the French people, represented in the several Parliaments, resisted the interference of an alien and cruel temporal power acting on France from Rome. Nor would the Kings

willingly allow the Popes to meddle with their domestic affairs. Perhaps the "Gallican liberties" would not have been gained by the clergy but for a reaction provoked by the Inquisition; and the "liberties of the kingdom of France," or "twenty privileges," resulted from the same cause.\*

In Spain, also, notwithstanding the vigorous support of many of the kings reigning over the kingdoms and states that were comprehended in that peninsula, the Inquisitors made but unequal progress, everywhere encountering opposition. If our dates be correct, more than a hundred and sixty years elapsed before an "Act of faith" was celebrated in Castile. Then, however, those exhibitions became very frequent everywhere; and at length, Nicholas Eymeric, made Inquisitor of Castile in the year 1356, and of Aragon in 1357, collected from the Civil and Canon Laws all that related to the punishment of heretics, and so formed his famous "Directory of Inquisitors," the first, and indeed the fundamental code, which has been followed ever since, without any essential variation, throughout the Popedom.

Eymeric flourished in the times of Popes Innocent VI., Urban V., Gregory XI., Urban VI., and Boniface IX., and in the reign of Peter IV., King of Aragon; and the entire period of his active service as an In-

\* Some of these twenty privileges, as they were published in the reign of Louis XII., are obviously opposed to the Inquisition. For example: "1. The King of France knows no superior in temporals." "4. The King of France, without consulting the Pope, may impose subsidies on ecclesiastics, or on churches, under the name of loan, gift, or charity, for defence of the kingdom." "6. The King of France cannot be excommunicated, nor declared excommunicate, by any dignitary in the realm." "11. The King has cognizance of civil causes between ecclesiastical persons, while they act in spiritual causes, or causes thereunto relating." "12. The King alone makes constitutions or laws in the kingdom of France." "15. The Pope does not legitimate nor restore in the kingdom of France, but the King only." "19. No one authorises the bearing of arms in the kingdom of France, but the King only."—*Stylus Supremæ Curie Parlamenti Parisiensis. Parisiis, MDLI., pars 4.*

quisitor was not less than forty years. His activity was immense. His collection of the laws of the tribunal, illustrated by examples, chiefly from his own practice, remains at Rome the fundamental code, still having its authority undiminished in the estimation of such old practitioners as may be found alive there, although it cannot now be carried into practice.

To give a correct idea of what the Inquisition really is, *or was*, we shall borrow a general description from this Directory of Eymeric, as expounded by his commentator, Francisco Peña, and sanctioned by the approbation of Gregory XIII. It exhibits the practice of the Inquisition at the time of its sanction in 1578, and republication in 1587; and the theory of inquisition, with some inevitable variations of practice, has always remained unchanged. To avoid the tediousness of verbal transcript, we shall employ our own words, but be scrupulously careful to give the true sense of the Directory. It instructs Inquisitors to the following effect.

## 2. PROSECUTION.

In a cause of heresy you should proceed quietly and simply, without formality and noise of pleadings. There should be no delay, no interruption, no appeal, and as few witnesses as possible. It is the peculiar and high privilege of the tribunal of the Inquisition, that its judges are not obliged to follow forensic rules; and therefore the omission of what common right requires does not annul the process, provided that nothing essential to the proof be wanting.

There are three ways of proceeding in cases of heresy; by accusation, by information, and by inquiry.

The Inquisitor will seldom make use of *accusation*, inasmuch as it is unusual, dangerous to the accuser, and tedious. He will therefore discourage accusations, and advise accusers to refrain from bringing any charge, and to content themselves with laying infor-

mation. Or, if an accuser persists, he may prepare the charge officially at the instance of the party; but private persons are very seldom permitted to undertake formal accusations, since an attorney or fiscal of the Holy Office does this by virtue of his ministry, and therefore runs no risk of punishment if the charge should turn out to be false. (This provides impunity to false accusers.)

It is most usual to proceed on *information*. One person informs against another, not to involve himself in the affair, but to avoid the excommunication denounced on those who will not inform; or he does it through zeal for the faith. The information must be reduced to writing, and attested by an oath on the four Gospels, and must contain circumstances of time and place. The Inquisitor may receive his information in private, with no other witness than his secretary. The obligation to inform is absolute, notwithstanding promise, bond, or oath to the contrary. There may be previous admonition to the suspected person, but that is not necessary. The information may appear groundless at first sight; but the Inquisitor must not cancel it on that account; for what cannot be brought to light to-day, may be made clear to-morrow. (Christ came not to condemn the world; but the Inquisitor's only work is to condemn, though he lose his own soul for it.)

When there is no informer, resort may be had to *inquiry*. This may be general, according to the Council of Toulouse, the population being got to hunt for heretics wherever they are likely to be found; or it may be undertaken by the Inquisitor alone, when there is a common report that such an one has said or done something against the faith. The Inquisitor may question others concerning the reputation of that person; and, if he can elicit that there is any ill report against him, he may bring him up. Or, if he only entertains a suspicion, in the absence of all such report, he may proceed in the same way, but cautiously.

There ought to be two witnesses to confirm the suspicion; and their evidence will be valid, even if they cannot say that they have ever heard him utter an erroneous opinion, but can only testify that they have heard it from others. Neither need they say what they have heard; for it suffices if they declare that people will talk suspectingly about him. By common right, no criminal is required to give evidence against himself; but in a cause of heresy there is this obligation: the person accused must furnish all the particulars, to enable the fiscal to make out the charge. All the doctors agree to this. (For their sole business is to destroy their victims, in spite of every law of God or man.)

### 3. WITNESSES.

In causes of heresy, testimony of all sorts of persons is admissible. They may be excommunicate, infamous, accomplices, or convicted of any crime. Heretics, too, may give evidence; but only against the culprit is it valid, never in his favour. This provision is most prudent, nay, it is most just; for, since the heretic has broken faith towards his God, no one ought to take his word; and it should always be presumed that, say what he may, he is actuated by hatred to the Church, and a desire that crimes against the faith may go unpunished. The testimony of infidels and Jews may be taken also, even in a question of heretical doctrine. The testimony of false witnesses is also taken, if against the accused person, even although a previous favourable testimony may have been retracted. And note, that if the first declaration was against him, and the second favourable, the first only must be accepted. The judge must never give credit to such retractions; for if he do, heresy will be committed with impunity. Domestic witnesses—wife, for example, children, relatives, servants—may have their testimony accepted against him, and then it has great value; but it never must avail to his advantage. All moral-

ists agree that, in case of heresy, a brother may declare against his brother, and a son against his father. Father Simancas would have excepted fathers and children from this law: but his opinion is not admissible; for, if a man may kill his father if he be an enemy to his country, how much more may he inform against him if he be guilty of heresy! The son of a heretic, who has informed thus, is exempted from the anathema launched against the children of heretics; and this in reward of his information. The reason of all this is, that nothing but the force of truth would so overcome natural feelings, as to lead one member to to delate another. And as heresy is best known at home, such evidence is very necessary. (The testimony of a parricide is to be rewarded with special credit!)

Every witness who appears against a heretic must be examined and sworn by the Inquisitor, in presence of a secretary or scribe. Having put to him the usual questions, the examiner must bind him to secrecy. There may be one or two men of gravity and prudence present at the examination; but this is by no means desirable. The criminal must not see the witnesses, nor know who they were. Eymeric weakly said that there should be more than two witnesses to establish a fact; but practice, and the general opinion of the doctors, allow Inquisitors to condemn a culprit on the evidence of any two whom they can trust; and, seeing that his case has been attentively examined, this is all that he should wish. (If a man's enemies have *diligently* conspired to kill him, this is all that he should wish!)

When the culprit is informed of the charges against him, the names of witnesses should be concealed; or, if there be any particulars in the charges that would help him to guess the names, the testimony given by one person should be attributed to another; or names should be substituted of persons that were not witnesses: but, after all, it is best to suppress all names;



and this is the general practice, safest to informers, and to the Christian public. (A lie is lovely in the Holy Office, if it helps to the safer commission of a murder.)

If a witness does not say all that the examiners think he can say or ought to say, or if they conceive any cause of dissatisfaction with his evidence, they may apply torture to extract the evidence they are looking for. False witnesses who have caused the death of an innocent person must not suffer any severer punishment than perpetual confinement. Some have thought otherwise, and Leo X. authorised the delivery of such offenders to the secular arm, to be put to death. But the Councils of Narbonne and Toulouse, after grave deliberations, mention no such punishment. The Council of Burgos condemns them to penance with *Sambenito*. False witnesses are not put to death by the Inquisition at Rome, nor anywhere else. However, in any special case, the judges may consult the Inquisitor-General. A witness, suspected of falsehood, may be put to the torture: "And I," says Eymeric, "was present in a case at Toulouse in 1312, where a father who had informed against his son, was laid on the rack, and there declared that his information was false." (Reward nine hundred and ninety-nine false witnesses, to keep up the supply. Let one of a thousand be punished to save appearances.)

#### 4. EXAMINATION OF THE PRISONER.

The Inquisitor must make the culprit swear that he will answer every question truly, even to his own damage. He must ask his name, birth-place, residence, and so on. Has he heard any one speak of such and such points of heresy? or has he spoken of them? The answers shall be written down, and the culprit shall sign them. He must also ask him if he knows why he is imprisoned,—whom he supposes to have caused his apprehension,—who is his confessor,—when he confessed last, and so on. He must not question him in such a manner as to suggest subterfuges,

or help evasion, but let his interrogatories be vague and general. "Too much prudence and firmness," says Peña, "can never be employed in the interrogation of a prisoner. The heretics are very cunning in disguising their errors. They affect sanctity, and shed false tears, which might soften the severest judges. An Inquisitor must arm himself against all these tricks, always supposing that they are trying to deceive him." (An Inquisitor, therefore, must be no less hardened than unprincipled.)

Manifold are the tricks of heretics. They equivocate, use mental reservation, elude the question, affect surprise, shuffle, answer evasively, feign submission, pretend to be fainting, counterfeit madness, or counterfeit modesty. But the Inquisitor must rebut this tenfold craft, paying them in their own coin, according to the words of the apostle, *Cum essem astutus, dolo vos cepi*: "Being crafty, I caught you with guile." Let him proceed thus:—

Press them to give direct answers to your questions. If you are not satisfied with the declaration of a prisoner, even after having employed the jailer, or secret spies, to extract from him evidence against himself,—speak gently, gently let him understand that you know all, and discourse with him in such a way as this:—"Be assured, my child, that I am very sorry for you. They have imposed on your simplicity, and ruined you. You have been in error, no doubt; but your deceiver is more to blame than you. Be not partaker of other men's sins, nor think of acting the part of a teacher, when you are but a learner. Confess the truth. You see that I know it well already; but I want you to save your character, and be enabled to set you at liberty as soon as possible, and let you return home in peace. But, tell me, who led you first astray?" Give him good words, but keep firm, and take it for granted that the fact of his heresy is certain. Perhaps the evidence will be incomplete, and the heretic may persist in declaring that he is innocent.

In that case you will put general questions; and when he denies something that you happen to have taxed him with, turn over the notes of a former examination, and say, "It is clear that you are not telling the truth. Do not equivocate any longer." And so he will fancy that you have other evidence against him. Or you may turn over a bundle of papers, seem to be reading them, and, when he denies anything, start, as with surprise, and ask how he *can* deny *that*, seeing it is clear as day. Read your papers, turn over the leaves, and say, every now and then, "Ah! did I not say so? Confess the truth." But be careful not to go into particulars, lest he see that you know nothing about them.

Or, if he be still obstinate, tell him that you had hoped to finish his case, as you are just going to take a long journey, and know not when you shall return; but, as he will not confess, you must leave him still in prison. He is evidently out of health, and not able to bear close confinement. You are very sorry, but cannot help it, and so on. Or you may multiply questions, and renew the examination from time to time, until he has been made to contradict himself for want of memory or self-possession; and, when his answers are confused, the doctors agree that you may put him to the torture. This method is almost sure to succeed; and he must be clever indeed that does not fall into the snare. (Clever indeed! Only a master of lying could have so taught how to lay the snare.)

Or, you may seem to relent, when the prisoner persists in his denial. Relax your severity. Give him better food. Send people to visit him; encourage him; advise him to confess; and promise that the Inquisitors will forgive him, or, at least, that they will interest themselves on his behalf. Indeed, you may promise him pardon, and you may pardon him in effect; for, in the conversion of a heretic, all is pardoned, and penances are favours. So tell him that if

he will confess, he shall have more than he could himself desire: and so he will; for you will save his soul. The doctors are not agreed as to this dissimulation, which is not allowed in civil courts: "But I," says Peña, "believe that it may be used in tribunals of the Inquisition, because an Inquisitor has far more ample powers than other judges, and may dispense with penitential and canonical punishments at his pleasure. So that as he does not promise total impunity to the guilty, when he says that he will pardon him, he can fulfil the promise of pardon by forgiving him some of the canonical penalties, which will depend entirely on himself." Still some doctors are not satisfied with this opinion; but the fraud is useful for the public good; and as it is lawful to extort the truth by torture, it must be lawful, reasoning *à fortiori*, to do it by dissimulation (*verbis fictis*). However, for greater security of conscience, you may employ vague terms, capable of a double interpretation. (How very tender must this conscience be!)

Or, you may gain over some friend of the prisoner, and let him talk with you frequently alone, and so get the secret. If it be necessary, you may authorise the friend to feign himself of the same opinion, and even to prolong his conversation until it shall be too late at night for him to go home; and then he shall stay in the prison, "having witnesses concealed in some convenient place, that they may hear the conversation, and, if possible, a clerk, who shall note down all that the criminal says, while the person you have bribed draws from him his most hidden thoughts." But the spy, although he may pretend to be also a heretic, must not say so in so many words; for that would be a lie; and sin is not to be committed on any account. In short, whatever tricks you allow, you must be careful not to sanction an untruth. By such contrivances as these, you may get at all you want, without touching the rack, and your sagacity will find out the truth, according to the wise sentence of a poet:

*"Sed quoniam variant animi, variabimus artes ;  
Mille mali species mille salutis erunt."*

(And so the Inquisitor, with a perfectly quiet conscience, "loveth and maketh a lie.")

#### 5. DEFENCE.

When you have extracted a confession, it will be useless to grant the culprit a defence. For, although in other courts the confession of the criminal does not suffice without proof, it suffices here. Heresy is a sin of the soul, and therefore confession may be the only evidence possible. However, for the sake of appearance, you may allow him to consult an advocate, to object to witnesses, to object to one or more of the judges, or to appeal. (In no other court is so much trouble taken to save the soul. *Holy Office!*)

As for the advocate, *you* are to choose him ; and, besides possessing other good qualities, he must be zealous for the faith. Swear him to keep the secret, and to engage the client to confess. But the prisoner must not have any communication with his advocate except in presence of the Inquisitor. And recollect the chapter in the Decretals (*Si adversus*, lib. v., tit. 7, *De Hæret.*) which forbids advocates to plead for heretics in any cause ; and therefore you must not allow one to a notorious heretic, but only where the suspicion is not yet proved. And when an advocate is granted, he must swear that he will abandon his client so soon as the heresy is proved. (The advocate being a zealot, and the law being framed for vengeance, conviction is pretty sure.)

As for objecting to witnesses, heretics must not fancy that this can be easily allowed, since both honest men and rogues, excommunicate, heretics, criminals, perjured persons, and any others, are permitted to bear witness against heretics. Only on one account, that of capital hatred in the witness towards the prisoner, may the latter be suffered to object ; and even in such a case various methods are devised to

weaken the objection, or to prevent it. (Of course there are such devices; for, in some cases, capital hatred is a capital qualification.)

If he appeals to the Pope, observe that all the laws agree that a heretic has no right to appeal. Thus the Emperor Frederick decided; and thus the Council of Constance determined, that the appeal of John Huss was illusory and null. Truly some laws appear to countenance appeals; but these may be easily disposed of. Note, also, that if the prisoner appeals from you on one point, you can appeal against him on some other. Or you can dispute the legality of the appeal. Or you can grant it under protest. But in no case should the Inquisitor appear at Rome to answer for his judgment; but let the Inquisitors-General, who are there, represent you. (The prisoner might have a friend at Rome, whom the Inquisitor could not conveniently confront.)

#### 6. TORTURE.

When you subject a prisoner to torture, in order to compel him to confess, observe the rules following:—

Torture is inflicted on one who confesses the principal fact, but varies as to circumstances. Also, on one who is reputed to be a heretic, but against whom there is only one witness of the fact. In this case common rumour is one indication of guilt, and the direct evidence is another, making altogether one semi-plenal proof. The torture may bring out full proof. Also, when there is no witness, but vehement suspicion. Also, when there is no common report of heresy, and only one witness who has heard or seen something in him contrary to the faith. Any two indications of heresy will justify the use of torture. If you sentence to torture, give him a written notice in the form prescribed; but let other means be tried first. Nor is this an infallible means for bringing out the truth. Weak-hearted men, impatient of the first pain,

will confess crimes that they never committed, and criminate others at the same time. Bold and strong ones will bear the most severe torments. Those who have been on the rack before, bear it with more courage; for they know how to adapt their limbs to it, and they resist powerfully.

Others, by enchantments, seem to be insensible, and they would rather die than confess. These wretches use, for incantations, certain passages from the Psalms of David, or other parts of Scripture, which they write on virgin parchment in an extravagant way, mixing them with names of unknown angels, with circles and strange letters, which they wear upon their person. "I know not," says Peña, "how this witchcraft can be remedied; but it will be well to strip the criminals naked, and search them narrowly, before laying them on the rack." While the tormentor is getting ready, let the Inquisitor and other grave men make fresh attempts to obtain a confession of the truth. Let the tormentor terrify him by all means, to frighten him into confession. And after he is stripped, let the Inquisitor take him aside, and make a last effort. When this has failed, let him be put to the question by torture, beginning with interrogation on lesser points, and thence advancing to greater. If he stands out, let them show him other instruments of torture, and threaten that he shall suffer them also. If he will not confess, the torture may be continued on a second or third day; but, as it is not to be repeated, those successive applications must be called *continuation*. And if, after all, he does not confess, he may be set at liberty. Rules are laid down for the punishment of those who do confess. Innocent IV. commanded the secular judges to put heretics to torture; but that gave occasion to scandalous publicity, and now Inquisitors are empowered to do it; and, in case of irregularity, that is to say, if the person dies in their hands, they are instructed to absolve each other. And although nobles were exempt from tor-

ture, and, in some kingdoms, as Aragon, it was not used in civil tribunals, the Inquisitors were nevertheless authorised to torture without restriction persons of all classes.

On the subject of torture, let this suffice from Eymeric and Peña. Much more on the same subject will be found in the Appendix (No. I.) which contains an account of the Spanish *Cartilla*, or manual of practice, printed within the walls of the Inquisition for the guidance of Examiners and Judges.

#### 7. ABSOLUTION.

It might sometimes happen that the accused person was as good a "Catholic" as the Inquisitors themselves. The witnesses could not prove so much as one suspicious word, or deed, or gesture. After the exhaustion of all arts, and the application of torture too, the person under treatment had not breathed a syllable of confession; but, on the contrary, his perfect innocence was thereby made manifest. What then? In such a case the Inquisitor was to grant a written absolution, setting forth, that having come down to inquire, etc., etc., etc., he had not found any legal proof of guilt, and therefore he fully released him "from the present charge, inquisition, and judgment." But if the Inquisition had declared this good Catholic to be an *innocent* man, such a declaration would have pronounced its own act invalid, a confession not so much as to be thought of. Besides, the Inquisition presumes on guilt in every case, and never thinks of innocence. And the Inquisitor was instructed to avoid even the least word that might be taken to imply a formal justification. It was deemed right that a certain terror should evermore hang over the person who had once fallen under suspicion, however causeless; it was considered safe and useful that a way should be left open for future prosecution, should prosecution ever seem desirable. One needs not



observe how unlike absolution in the court of heaven is this pretended absolution from the Holy Office. One needs not say how unlike to mere humanity.

#### 8. CANONICAL PURGATION.

Evil-speaking is not heresy. Ill-natured neighbours, either drunk or sober, might ejaculate, or whisper, that such an one was a heretic. On this the Inquisitors were fully entitled to found a process, if it seemed them good. But there being an utter want of evidence, not even a word spoken unawares by the calumniated person himself whereon to rest suspicion, it would become necessary to hasten the closing of the case. The report could not be refuted without violation of secret, exposure of useful slanderers, and discouragement of the familiars and friends, if any such there were, of the Holy Office.

Something, however, must be done. The slandered person was therefore required to produce such a number of compurgators as the Inquisitors might choose, and of the class that it pleased them to prescribe. The compurgators being found, the subject of calumny was to be brought into some public place, probably at the celebration of a "Sermon;" and after he had sworn that he had never fallen into the heresy charged upon him, the compurgators were all to come forward, and swear that they, from certain knowledge, believed him to be innocent. From that time the compurgators were held answerable for his religious reputation; and if he should fall into heresy, they would inevitably share his fate. This made it almost impossible for any one to find compurgators,—at least, in sufficient number, and of the sort required. In this default, the unhappy victim of the hasty or malicious word spoken by some other person, was at once sentenced as a heretic, and punished accordingly.

## 9. ABJURATION.

But even so, it was not often thought expedient to allow one suspected of heresy the chance of escape by compurgation. Compurgation implies innocence, whereas there arises a presumption of guilt, in some degree, if any cause has been given for suspicion, and a lingering taint hangs on the reputation of the suspected person, with whom the Inquisition has thenceforth something to do. For convenient practice the degrees of suspicion, combined, also, with degrees of heresy suspected, are classified as *light*, *vehement*, and *violent*.

Any slightly peculiar opinion became an occasion of suspicion. For example, the opinion that our Lord and His Disciples did not possess property might be justified by some passages in the New Testament, but if they were so poor, why was the Church so rich? This opinion of poverty, therefore, savoured of heresy, and he who held it was therefore suspected *leviter, lightly*.\* The person so suspected would be required to abjure lightly. He might make his first abjuration in private, in the house of the Bishop or the Inquisitor, but most frequently even this light abjuration was made in a Church. The suspected person was placed on a high scaffold, erected near the altar, but in the midst of the congregation. Bare-headed; not sitting, but standing, that every one in the Church might get a view of him; a prisoner, for the time in close custody, his keepers standing close around him; he was then and thenceforth marked as an incipient heretic at least, and one to be carefully avoided. There he was to abjure the error of which they lightly suspected him, make his abjuration, receive an order to do penance,—a very humiliating process,—and having accomplished the penance, might obtain release, under a strict admonition that if again suspected, and further drawn into error, he would eventually be delivered over to the secular arm, and find no mercy.

\* See the Forms of Abjuration given in Appendix, No. II.

Abjuration after *vehement* suspicion, was followed by some ignominious penance, such as standing in a penitential garment, at the Church-door on festival-days, and visiting certain "sanctuaries" in the same guise. All this notwithstanding, a person vehemently suspected had little hope of eventual reconciliation.

*Violent* suspicion was expressed with yet greater severity. The suspicion became violent when the pleasure of the Inquisitors had been in any way resisted. Numberless circumstances might arise to provoke their vengeance where there was no reason at all to suspect heresy. Their lordships might have had some disagreement, apprehended some litigation, or suffered some provocation from the word, or gesture, or bearing of an obnoxious person, and this would serve as a reason for what they chose to call violent suspicion. *Sambenito*, a word we shall presently explain, and perpetual imprisonment, with bread and water, were the remedies usually employed for the salvation of their "dear son," whom they exhorted not to despair, and advised to hope that by meek submission he might merit indulgence at some future, remote, uncertain time. But on any second offence, or shadow, or pretext of offence, suspicion grown more violent would be counted equivalent with proof of confirmed heresy, and then his body would be burnt alive, sacrificed in consuming flames, like the unquenchable fire of hell, and all for the salvation of his soul

#### 10. FINES AND CONFISCATION.

There is a very grave question; it is the hundred-and-fourth of the knots which Eymeric undertakes to loose, the canonists assisting him. "May an Inquisitor exact the expenses from those against whom he proceeds; and may he condemn them, by sentence, to pay these expenses?" *Respondemus quod sic, etc.* Assuredly he may, if his income be narrow, as it generally is, and insufficient for maintaining him fitly in his office. "Who goeth a warfare any time at his own charges?" Most just, then, is it, that holy In.

quisitors, men devoted to a work so pious, should have whereupon to subsist; and none can be so proper to maintain them as the heretics for whose benefit they labour. The customs of countries, indeed, are various, and the methods of maintaining the affluence and the dignity of the Holy Office are diverse; but whether its revenue be granted by the temporal authority, or otherwise obtained, it is most just that spiritual delinquents should be made to pay.

Then, as to confiscation of goods: so soon as the Inquisitor pronounces a sentence of heresy, the life of that sinner ceases to be his own. Therefore it is no longer possible that he, already a dead man, should possess house, or land, or moveables. The sins of the fathers, too, are visited upon the children; and therefore the children of an heretic are incapable of any other inheritance than poverty and infamy. Still, as the Church is always merciful, she may, of her free grace, take care of the children, binding the boys as apprentices to a trade, putting out the girls to service; and even feeding the last infant or the sickly children; but she must feed them scantily, that they may be sensible of the visitation, in their own persons, of their fathers' iniquity. As for wives, they share the fortune of their husbands, unless a superior fidelity to the Holy Office should have entitled them to indulgent consideration after the perpetual imprisonment, or the fiery death, of their forsaken husbands. The legislation on this point is carefully diffuse, and somewhat intricate; but we need not study it too closely. A penitent, be it noted, cannot have his property restored. Indigence will be a salutary penance, and justice demands the pelf in recompense to the converters.

#### 11. LIGHTER PENANCE.

Lighter penance is to be performed by blasphemers. "In the tribunal of the Holy Inquisition," says a very accomplished censor, "more frequently than any

other offences, occur cases of diverse and exquisite blasphemies, execrable varieties of which are daily invented by perverse men."\* A common offence is therefore atoned for by a punishment easy of infliction. The blasphemer, if a layman, may satisfy ecclesiastical justice by standing outside the church-door during solemn mass on seven successive Sundays, on the last of them barefoot, with a halter about his neck. Add to this, abstinence on one day of each intervening week, and on the same day to give a meal to two or three poor persons. A person in office may be fined, at discretion. A blaspheming clergyman may pay by a deduction from the fruits of his benefice; but, whatsoever is done or left undone, the clergyman must not be seen to do penance openly, lest the faithful be scandalized at the sight; but if he proves incorrigible, he may be deprived of his living. Pius V., rather a severe man, prescribed a sorer penance and heavier fines for blasphemy, ordaining that the *plebeian* who could not pay should be flogged round the town for the second offence; and for the third have his tongue bored through, and be sent to the gallows. That, however, has not been the Roman practice. The sin is too prevalent to be dealt hardly with. Blasphemy, mere simple blasphemy, execrable, exquisitely execrable, though it be, if there be no heretical declaration mingled with the words, is not heresy. It is an indecorum, certainly; and the priests, at least, ought to be cured of it; but it is not heresy, and it would never do to deal with it under that fearful character. Indeed, the Inquisition can only be supposed to deal with it at all from a pious desire of having something to do, and has never been indiscreet in the way of strictness. As for boring tongues, if that were to be done in such cases, there would be an end of Italian singing. In all the Papal chapels a voice would not be heard. But blasphemy never

\* FRANCISCI BORDONI *Appendices ad Manuale Consultorum in Causis Sancti Officii*, &c. Parmæ, 1703, casus lviii.



brings on any person the least suspicion of heresy; and these pages could not have been lightened by a single touch of tenderness, had not the Holy Office shown itself kindly considerate on the matter of exquisitely diverse blasphemy. This gleam of pity having been snatched for a moment, we must return to the sad enumeration of real penalties.

## 12. FLOGGING.

"Sometimes," writes Farinacius, \* "heretics may also be punished by flogging; but blood must not be shed." When, wherefore, in what measure, or in what manner this punishment is to be inflicted, the law does not say. It is left entirely to the discretion of the keepers of those chambers of terror to determine on what occasions their paternal chastisement may be applied; for the rest, one limitation alone restrains them,—blood must not be shed. The holy officers have a distaste for warm arterial blood, but they hold their prisoners in darkness and the shadow of death; they bind them in affliction and iron; they listen to their groans unmoved; they scourge them with unnumbered lashes, and the anguish and prostration of the sufferers awakens no pity in their bosoms. The sinner may not be spared nor pitied, yet neither must his blood be shed. Of this vulgar torment I think I have said all that the law contains; for our high authorities do not condescend to say much on a matter of mere domestic discipline, but what "sometimes" may mean was revealed to the ears of M. Dellon and of Dr. Buchanan in the Inquisition of Goa, when they heard shrieks issuing from the dungeons both night and morning.

## 13. DISABILITY AND INFAMY.

Every man, of whatever estate, loses all office,

\* PROSPERI FARINACII *J. C. Romani Tractatus de Hæresi*. Romæ, 1616.



benefice, right, and dignity, so soon as he incurs inquisitorial punishment. His memory is to be accursed. His progeny is to be infamous. Some have asked whether children begotten in time of his innocency, when, as yet, he had not fallen away from the Holy Catholic Church, are to be involved in the dishonour. The doctors have taken this case into consideration, and they unanimously determine that, as the end of punishment is the prevention of crime, the terror of infamy ought always to be before the eyes of every parent, in order that natural affection, with compassion towards children who might suffer by his fault, may keep his faith right. When a man is heretical, his sons, his daughters, and their children, must *all* be infamous;—when a woman, her sons and daughters only. Men need hard binding to the Romish altar. Women can be held in softer bonds. Offending fathers, be it also noted, have no more authority at home. They cannot demand honour or obedience from their children. Offending husbands have no more control over their wives, who are instructed to forsake thenceforward the nuptial bed. The women who, by compliance with this order, show themselves dutiful, are likely to be honoured by the fathers of the Holy Office.

#### 14. PERPETUAL PRISON.

Perpetual imprisonment is a healthful penalty, graciously imposed on all convicted heretics who have satisfactorily repented, and have not relapsed. The relapsed are all burnt. As to the mode of inflicting the penalty of perpetual imprisonment, it has been various. A solitary dungeon; a private house, hired for the purpose; a monastery, may serve as prison. Sometimes the prisoner has been maintained by the bishop, sometimes by the Inquisition itself, sometimes by a trifling charge on his own sequestered property. Sometimes he has had to work at his trade, yet in most profound seclusion from all except his keeper,

with the occasional visit of an Inquisitor, who came to know how he behaved. Sometimes his friends have been permitted to visit him; but this indulgence could only be allowed when the public were thought to be free from taint of heresy, and the Inquisition in full power. For ecclesiastics, monasteries have been, and still are, the cheapest and most convenient prisons. Before being indulged with this commutation of a severer penalty, the heretic was to make a solemn abjuration at a Sermon, or Act of Faith, in presence of the people. In the days of its glory, the Inquisition sometimes used to parade the perpetual penitents before the public on feast-days. The sentence prescribed to be read openly at the Auto was almost literally the same as one quoted above from the Book of Sentences of the Inquisition of Toulouse. And here we must stay, for a moment, to speak of prisons in general.

In civil jurisprudence imprisonment was intended for custody alone, until the Holy Office enlarged its use, and made it also penal. But, although in common practice the end of justice is attained by the safe custody of an accused person, and severities, after trial and sentence, are penal, the Canon Law makes its imprisonment for custody harder than imprisonment for penalty. The doctrine and practice of Canon Law may be shortly told.

Clement IV., intent on the extermination of heretics, commanded "all the powers of the world, the lords temporal of provinces, lands, cities, and all other places," the diocesan bishops, and the Inquisitors of heretical pravity there deputed, or thereafter to be deputed from the Apostolic See, to make inquest, pursue, arrest, and keep in strait and careful custody those children of iniquity, despite all appeal or prayer for pity. This you may find in the Sext \* Decretals,

\* Commonly so called, from the title of the *SEXTUS Decretalium Liber*. It is preceded by the *five Books of Gregory LX.*, and followed by the *Clementines* and the *Extravagantes*. These constitute the text



*De Hæreticis.* The Council of Vienne, under Clement V., directed that, for the glory of God, the augmentation of His faith, and the happier transaction of the business of the Inquisition, the Bishops and Inquisitors should, putting away all fleshly love, hatred, fear, or other temporal affection, by their sole authority, cite, arrest, and imprison heretics, laying iron manacles upon their hands, and iron fetters upon their feet. Moreover, they were to deliver them into hard and strait prison, there to be examined, and, if necessary, put to torture.

Degrees of guilt required provisions for inflicting corresponding measures of suffering or degradation in the prison. The palace of the Inquisition, therefore, or the *Holy House*, had extensive accommodation for all classes of delinquents;—rooms well ventilated, light and air being admitted through iron grating, and sufficiently large for the occupant to move about, with bed, seat, fire-place, and a few conveniences;—or close, dark cells, with little air, small space, a heap of straw, no fire-place, and scarcely any kind of convenience;—or, deeper still, no light, scarcely space enough to move or stand upright;—a “little-ease,” a mis-shapen pit, wherein the living body sank into the hollow of an inverted cone, and was fed with barely enough to keep up the functions of nature, just enough to make death linger, and no more. Then were added, in set proportion of weight and number, those manacles, fetters, chains, and other contrivances of torment. The sworn jailer might not speak to the suffering “child of iniquity,” however summoned. To no call, or entreaty, or sigh, or shriek, was the “faithful and industrious” keeper to give an answer by word or sign. No communication, no respite, no token of compassion! The Inquisitor would come or send,

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of Canon Law, since enlarged or modified by whatever is published “under the ring,” or “under the lead,” (in Briefs or Bulls), by successive Popes.

when so it pleased him, to put a question, tempt with a promise, or terrify with a threat.

The durance being thus made perfect in utter solitude and in despair, there could not be any collusion with other criminals, nor corruption of keepers, nor intelligence from the outer world, nor chance of any sort for defrauding the ends of this diabolical travesty of justice. Gradually, from the healthy and somewhat convenient chamber down into the horrible pit, the "inquisite" who refused to deny Christ, to betray brethren, or to confess offences not committed, was made to descend; and, if still obstinate, was taken to the rack, or handed over to the stake.

This discipline, if deemed necessary, having been employed, and yet nothing heretical proved; or, if a recantation had been extorted, and, if extorted, thought sufficient; the Tormentors might sentence the sufferer to perpetual imprisonment. And this imprisonment might be tolerably easy—if in confinement, vexation, and disgrace, there can be ease. It was even possible that, after the endurance of some years, the penalty might cease, and so the prisoner become a penitent at large. Or, if the Inquisitor, offended, dissatisfied, or otherwise moved to severity, so chose, he might aggravate the hardship of the place, plunge his victim into the profoundest dungeon, and be only restricted within one limit,—that he should not instantly deprive him of life, but keep the breath in his body. If, however, death did happen, the Inquisitor would be held guilty of nothing worse than an irregularity; for which irregularity he must atone not by being whipped, or strangled, but by mentioning the little matter under secret to a brother Inquisitor, each being under standing instructions to give the other immediate absolution from all ecclesiastical censure.

#### 15. FUGITIVES AND REBELS.

No one who thought himself in danger of falling into the hands of Inquisitors would sit at home to be

taken, if by any possibility he could escape; nor, if absent, would he return to be caught and flung into a dungeon. If the Inquisitor heard an evil report, or conceived ill, of an absent person, his Directory instructed him to wait with patience, even for a year or two, until the culprit, if his fears were not awakened, might return. If the absentee did not then come back, a citation should be issued, requiring him to appear within a time appointed; and if by that time he came not,—but who would come on such a summons?—the Inquisitor was to declare him *excommunicated*. If he lay unmoved by the lash of excommunication for one year, he should be pronounced a *rebel*.

Or if a person fled, after he had been convicted, whether on his own confession or by witnesses, or had been delated and summoned to appear, or if he had been known to favour heretics, he was to be summoned to present himself at the Holy Office, on pain of excommunication. Of course he was not likely to make his appearance there, and would be cursed accordingly. At the expiration of a year from the publication of the anathema, he should be finally condemned as a heretic, on presumption of guilt, although there never had been any inquest made. If he were an ecclesiastic, the Bishop of his diocese would give a sentence of degradation; but the degraded priest, or the condemned layman, was then to be given over to the secular arm, by a mandate from the Bishop and Inquisitor unitedly.

The fatal paper would set forth that the Bishop and Inquisitor, having heard an ill report of such an one, had “gone down to see and inquire whether the rumour that had reached their ears was true or false, and whether he was walking in darkness or in light.” On the testimony of witnesses they had detected him in heresy; his confession had confirmed the evidence; and he had consented to do penance. But, seduced by an evil spirit, shrinking from the wine and oil which these good Samaritans wanted to shed upon

his wounds, he had broken prison, the wicked spirit had caught him away, and hidden him, they knew not where. They had summoned him to return, they had put up the summons by papers on many church-doors; but, blinded by insane counsel, he had contumaciously refused to come. They, for their part, obeying the exigence of justice, had excommunicated him. He, for his part, had refused the salutary medicine of their curse; and all through one full year the malignant spirit had carried him from place to place; but whither it had conveyed him, they could not tell. The Church of God had mercifully and kindly waited all that time,—waited to clasp him in her bosom,—waited to nourish him from the breasts of her clemency; but still he refused to come. Then she had invited him to come in order to receive the sentence due for such heretical contumacity; but, insensible to his mother's clemency, he still refused. Now, their patience being exhausted, and justice being urgent for the exaltation of the Catholic faith, and for the extirpation of heresy, they, in that day, hour, place, gave sentence in the usual manner, leaving him to the secular arm, with the accustomed deprecation of injury to life or limb. And the secular and ecclesiastical authorities were required to seize him, if they could.

The rebel was then to be burnt in effigy; and if any one, while endeavouring to apprehend the living man for the honour of the Church, should unfortunately happen to kill him, the homicide, being sanctified by a righteous intention, was to be forgiven. The rebel's absence, and the default of judicial defence, did not diminish the power of the sacred tribunal to take his life.

#### 16. DELIVERY TO THE SECULAR ARM.

“The secular arm” is the civil power, subservient to the vengeful pleasure of the ecclesiastical. “Penitents” who repent them of having yielded to the fear

of temporal death, and, to escape the death eternal, confess Christ again, or persons brought a second time under accusation; reputed heretics, whose endurance is accounted pertinacity; "negative heretics," who persist in denying what the Inquisitors think they should confess, there being "full proof" against them;—are delivered over to the secular arm. But the delivery is conducted with ceremony. "God-fearing men" are sent by the Inquisitors to converse with the doomed offender, to speak to him of the nothingness of this world, the miseries of life, and the glories of heaven. They tell him that since he cannot escape temporal death, he ought to be reconciled with God. If he will not heed their exhortations, he must feel the fire; but if he will confess, be absolved, and receive the host, the Church will graciously receive him to her bosom; and although he must die for the good of his soul, the secular arm will so act that his death shall be moderately easy,—will strangle him as promptly as possible; and he shall be so far spared the flames, which will but consume a dead body, not the living person. This errand of grace accomplished, the messengers report accordingly; and the Inquisitors tell the magistrate that the person whom they condemned is *ready*.

At the time and place appointed, instruments of death being prepared, the person to be killed is brought forward, himself only, or with others, as we shall presently show. If a priest, he is degraded according to the form prescribed. The Inquisitors and others being in their proper places, a paper is read, containing a recitation of his case, and perhaps concluding thus:—"Having been informed that, after all, you are fallen again into the same errors, and having examined this information carefully, we find that you are indeed relapsed. Since, however, you return again to the bosom of the Church, abjuring heresy, we grant you the sacraments of penance and eucharist, which you humbly ask; but Holy Mother Church cannot do any-

thing more in your favour, because you once abused her kindness. Therefore we declare you relapsed, put you away from the jurisdiction of the Church, and leave you to the secular judges, whom we efficaciously beseech (*efficaciter deprecantes*) so to moderate their sentence, that no shedding of blood or peril of death may follow."

Here, again, is an important question. How can the Inquisitors make this request, at the same time that they deliver the prisoner for the very purpose of having him killed, and are solemnly and sincerely instructed to excommunicate and punish any faint-hearted magistrate that shall refuse to kill him? The question is easily answered. First: They have not in so many words *delivered* him to the secular arm, but only *left* him to it. Secondly: The magistrate cannot understand them to mean, that he shall not be killed, whatever they may say, because it is unlawful to plead or to intercede for a heretic. Thirdly: Whatever the magistrate may or may not understand them to mean, they have pronounced words of intercession that will effectually save themselves from the "irregularity" of shedding blood, or killing, in any way. Killing, we know, is murder, generally speaking; but Inquisitors are exempted from the operation of ordinary laws: and as they never intend to kill any person, because the Church does not so intend, if it should happen that any one dies in their hands, not by their intention, but through the obstinacy of the person so dying, if it be remotely possible that they might have prevented the untoward accident, then they are fallen into an irregularity. Such accidents have happened in the service of the Church; and therefore, in such an event, she empowers her ministers to confess to each other, and to absolve each other.

When the magistrate kills a heretic, a schismatic, or a rebel, he does his duty, and they bless him. But the deed is *his*, not *theirs*. They never kill, except by accident. (Excellent Church! that can so nicely

manage conscience, and so liberally remit the pains of hell, and so cleanly absolve herself from even the darkest stain of criminality.)

There are many forms of sentence and varieties of ceremonial which few persons will be curious to know; but there is one contingency to be provided for, and that we note. A pertinacious heretic has brought himself to the verge of death, but now repents. What is to be done with him? On such a case Eymeric descants with his accustomed coolness, thus:—"And while the secular court is fulfilling its office, a few upright men, zealous for the faith, may go to the criminal, and exhort him to return to the Catholic faith, and renounce his errors. And if, after the sentence is passed, and he is given over to the secular court, while they are taking him away to be burnt, or when he is tied to the stake, or when he feels the fire, he says that he is willing to turn and repent, and abjure his heresy, I should think that he might, in mercy, be received as a heretic penitent, and immured for life, according to some passages in the Decretals," (which are cited) "although I imagine this would not be found very justifiable, nor is great faith to be placed in conversions of this sort. Indeed, such an occurrence did take place in Barcelona, where three heretics impenitent, but not relapsed, were delivered to the secular arm, and when one of them, a priest,\* had the fire lit round him, and was already half burnt on one side, he

\* This priest's name ought not to perish. During the pontificate of Benedict XII., which was from the year 1334 to 1342, a sect of Beghards, as Eymeric calls them, sprang up in Catalonia. We only hear of them by the report of their enemies; but the fact now before us indicates something far more vigorous than heresy. Fray Bononato was the leader of those Spanish dissidents. It was he whom they bound to the stake at Barcelona. He repented of his recantation, and resumed his ministrations in secret. A congregation assembled in a private house in Villa Franca, a town between Barcelona and Tarragona; but it was discovered. His accomplices, as they were called, were thrown with him into the flames, and the house was razed to the ground.—*Direct. Inquis.*, p. 266.

begged to be taken out, and promised to abjure and repent. He was taken out, and abjured. But whether we did right or not, I cannot say. One thing I know, that fourteen years afterwards he was accused, and found to have persisted in his heresy all the time, and infected many. He then refused to be converted, and, as one impenitent and relapsed, was again delivered to the secular arm, and consumed in fire." Of course, he was consumed in fire, that being the natural punishment of heretics, from its resemblance to hell, and according to the saying of the Lord, "If a man abide not in Me, he is cast forth as a branch, and is withered, and men gather them, and cast them into the fire, and they are burned." At the conclusion of such a burning in the presence of the civil authorities, and a great multitude of people, who have been edified by so lively an image of the last judgment, the Inquisitor or the bishop proclaims a general indulgence from the flames of purgatory to as many as took any part in the solemnities of the day, even as spectators only, or have in any way assisted the Holy Office in their labour of love!

As for those who have betaken themselves to flight, and refuse to return to be punished in their proper persons, their effigies are handed over to the civil magistracy to be burnt, in signification of the punishment awarded to them, as rebels, and awaiting them if they should be caught.

#### 17. SUBJECTS OF INQUISITORIAL JURISDICTION.

The tribunal claims right of jurisdiction over the following persons. All heretics without exception. All who blaspheme God and the saints. They who utter words of blasphemy when extremely drunk are not to be condemned at once, but watched. If half drunk, they are entirely guilty. They who speak blasphemously or heretically in their sleep are to be watched; for it is likely that their lips betrayed the heresy that was lurking in their hearts. All who



speaking jestingly of sacred things. Wizards and fortune-tellers. Worshippers of the devil: and it seems that while the Inquisition was in its glory, when the Reformation had scarcely dawned, or where its light had scarcely penetrated, people were known to offer sacrifices to the evil one, kneel down to him, sing hymns to him, observe "chastity" and fast in honour of him, illuminate and cense his images, insert names of devils in the litanies of saints, and ask them to intercede with God. Such was the low condition of many who had known no other church but that of Rome.

But to return. They who called on Satan to do his proper works of mischief were not guilty of heresy, according to some doctors, if they commanded him; but were guilty, if they besought him. They might command, without much impropriety (we should say), the being who had so long, so intimately, so effectually served their Church. To recognise that service ought not to be accounted heresy, and therefore it is no heresy to command it. Astrologers and alchymists are under the jurisdiction of the Holy Office. So are infidels and Jews; for, although Jews are not subject to the Church, according to the saying of St. Paul, that he did not judge them that were without, Jews become subject when they speak against Christianity, for in so doing they commit an ecclesiastical offence. The Church, then, may avenge her own quarrel, although she cannot avenge that of Christ. All who harbour, or show kindness to heretics, being themselves orthodox; very near relatives, however, having some slight indulgence allowed them, in some cases, if the Judges please. All who look ill on an Inquisitor, —those ugly looks being indications of heresy, and injurious to the Holy Office. Persons in civil office who hinder the Inquisition and its agents, or who refuse to help them, or allow an accused person to conceal himself or to escape. Any one who gives food to a heretic, unless he be actually dying of hunger; for in this case it is allowable to feed him,

that he may live to take his trial, and, haply, to be converted. Experienced Inquisitors could detect a heretic by a characteristic unsightliness about the eyes and nostrils.\*

#### 18. PRIVILEGES.

The privileges of this tribunal were exorbitant and numberless ; and still would be, if the state of society did not render most of them impossible. Still they exist in theory, and some old practitioners may be yet living, who consider them their due. For example :—

Notwithstanding the principle of worldly justice that a judge may not accuse, prosecute, and give sentence in his own cause, it is decided that “ they who injure and offend Inquisitors may be punished by the Inquisitors themselves, because any such injury is said to be committed against the Church.” Notice is given that “ those who strike, knock down, or frighten advocates, proctors, notaries, or other ministers of the Holy Office, are to be punished with death, and their heirs with confiscation of goods, and with all other penalties to which persons guilty of high treason are liable.”

“ Notwithstanding any prohibition of the civil, municipal, or other law, the officials and familiars of Inquisitors of heretical pravity may carry forbidden arms at any time, day or night.” So may any persons on whom Inquisitors are pleased to call for help. Some cautions are written in the books ; but if it were ever possible for these persecutors to get the population on their side, they might arm the people against the lawful authorities. How far populations have been so armed, all know who have read European history. Yet we believe that the people have never taken up arms in defence of the Holy Office.

Exemptions and powers so great as to make this Institution independent of all other authorities, and

\* See Appendix III.

sometimes absolute over both Church and State, have been accorded to it; and nowhere does the Canon Law present any barrier to check its march, until it approaches the Pope, the cardinals, and the delegates of the Court of Rome and the Apostolic See. At this diplomatic centre the ruling power has held in its own keeping the several instruments of privileged Inquisition, privileged Jesuitism, a subject episcopate, and a servile monasticism. And thus cleverly the fountain of all privilege divides and governs.

#### 19. INDULGENCES.

This article cannot be disposed of better than by giving a literal translation of a lengthened advertisement once published in Mexico, under the title of "*Compendium of Indulgences granted to the Ministers and other persons who are employed in the service of the Inquisition.*"

"The tribunal of the Inquisition of this city of Mexico, etc., in its constant zeal and fatherly love, as well towards the ministers who serve officially in all their district, as towards other persons who earnestly employ themselves in the preparation, prosecution, and better dispatch of the causes and affairs of the Holy Office, has resolved to print with all possible distinctness and particularity, all the signal and special Indulgences, exemptions, and spiritual benefits with which so many supreme Pontiffs in succession have rewarded such, in order that for want of exact knowledge of the same, or for any such reason, none may fail to profit by so precious and so rich a treasure as it is now offering for the salary and remuneration of their labour, and as a devout, Christian and Catholic stimulant to continuance and perseverance in the same." The following articles contain it all:—

"1. In the first place, that whoever shall die while performing the service and in enjoyment of the favour of the Holy Office, with true repentance of their sins, confessing them sacramentally (*i.e.* to a confessor), in

case they are able so to do, shall gain plenary indulgence, and remission of them all. (Gregory IX., A.D. 1238, in his Bull that begins with *Ille humani generis pervicax inimicus*.)

2. *Item*: that all they who shall attend at the sermons which shall be preached in performance of the ministry of the Holy Office (that is to say, at the reading of the general edicts, although there be not a sermon also) gain twenty days' indulgence. (Greg. IX. in the same Bull.)

3. *Item*: that all they who shall favour the Holy Office against heretics and their abettors, receivers and defenders, gain three years' remission of the penances which may have been imposed on them. (Greg. IX. in the said Bull.)

4. *Item*: His Holiness Innocent IV. in his Bull which begins *Tunc potissime conditori omnium*, given in the ninth year of his pontificate, and in the year of our Lord Jesus Christ 1252, gives power to the Lords Inquisitors to grant twenty or forty days' indulgence to their ministers and friends.

5. *Item*: that they who labour with solicitude in taking, or accompanying heretics that are taken, and carrying them safely to prison, or shall help the same service in any other way, or shall assist in the processions made according to the statutes, or attend at the public or private adjurations which will have to be made at any time or in any place whatever, or shall carefully labour in the conversion and instruction of heretics in the Holy Catholic Faith, or be present to hear the preachings or addresses that shall be made against them, and finally, shall come to combat and fight against them and their partizans, helpers and defenders, or shall give the Lords Inquisitors in afore-said matters, aid, advice and favour on the day when the said things shall be done, or anything of the kind, shall gain in the form accustomed of the church, forty years' pardon of the penances which have been imposed on them, or which they owe in any other way.

(Paul V., A.D. 1611, in the Bull beginning *Cum inter cæteras*.)

6. *Item*: that the said ministers be entitled to bear the device of the Holy Cross, and that on the day when they shall be received as such, on taking the accustomed oath of fidelity and secrecy, and being confessed and admitted to communion, gain all the indulgences and remissions which are granted by the General Council of Claremont to those who go by sea and travel for the recovery of the Holy Land. (The same Innocent IV. in his Bull of the year 1254 which begins *Malitia hujus temporis*, and the chapter *Excommunicamus*, 13 sect. *Catholici* 4, *de Hæreticis*.)

7. *Item*: that from the day when; as it is said, they are enlisted, and take the said oath, being also confessed and communicated, or if that is not possible, shall have true contrition for their sins, they gain once in their life, and again in the article of death, plenary indulgence, and remission of all their sins. (Clement VII., A.D. 1530, in the Bull *Cum sicut ex relatione*.)

8. *Item*: that they may be absolved once in the course of their life, and again in the article of death from all reserved cases, and from those of the Bull *In cæna Domini*, provided they confess, or have a true intention to confess at the time appointed by Holy Mother Church. (Clement VII. in the same Bull.)

9. *Item*: that on every day when they visit the five altars, if they be in a place where there are so many, or, if not, five times at the same altar, on their knees reciting a Psalm, or five Paternosters and Ave Marias, they gain all the indulgence that could be gained by visiting the altars of the stations at Rome. (Clement VII. in the same Bull.)

10. *Item*: that the said Lords Inquisitors may absolve them from any interdict, supervision, or excommunication imposed by sentence or by canon, and from those sentences which are incurred by incendiaries, violators, and devastators of Churches, and those who lay violent hands upon ecclesiastical per-

sons, and from whatsoever other censures are generally given by the Roman Pontiffs, provided that besides being received as such ministers, they continue with fervour in the same service. (Innocent IV., A.D. 1254, in the Bull, *Malitia hujus temporis*.)

11. *Item* : that they may commute all the vows and promises they have made, except those of Holy Land, and others that are perpetual and unchangeable. (Innocent IV. in the Bull last cited.)

12. *Item* : that in time of General Interdict they may hear mass, attend at all Divine service, and be buried—but without funeral pomp—with ecclesiastical burial. (Clement VII. in the Bull above cited of 1530.)

13. *Item* : that the said Ministers may not be excommunicated while they are so occupied, or while it is necessary that they should be occupied in the service of the Holy Office, not even by a judge delegate or sub-delegate of the Apostolic See, conservator or executor by the same deputed, without a special mandate of the Roman Pontiff, which makes full and express mention and derogation of this privilege. (Urban IV., A.D. 1261 in the Bull *Ne Inquisitionis negotium*.)

14. *Item* : that the Lords Inquisitors may dispense the ecclesiastical Ministers of the Holy Office from any irregularities whatsoever into which they may have fallen by having said mass when they were excommunicated—if so be that they have not done it in contempt of the Keys and Apostolic power—or in a place under interdict, or by any other occasion or cause—if they have not been themselves the cause of such interdict, nor are themselves the persons specially interdicted—as is set forth at length in the last Bull of Innocent IV. and the one above cited of Clement VII.

15. *Item* : that the Regulars, being also Ministers of the Holy Office, in the affairs and causes pertaining to it, be entirely exempt from obedience to their superiors and Prelates Regular. (Alexander IV., A.D. 1260, in his Bull *Catholicæ Fidei negotium*.)

16. *Item* : that the said Ministers, being penitent, and confessed, and refreshed with the Holy Communion in the vespers and days of the glorious ST. PETER THE MARTYR and THE EXALTATION OF THE HOLY CROSS, in either of them devoutly visiting any of the churches, chapels, or oratories of the said ST. PETER THE MARTYR, or their Brotherhood, and there making prayer to God for the happy state and exaltation of the Holy Roman Church, and of our Catholic faith, and for the extirpation of heresies, health of the Roman Pontiff, and peace, concord and union between Christian princes every year, and on either of the two festivities aforesaid, gain plenary indulgence, and remission of all their sins. (Paul V., A.D. 1611, in the Bull *Cum inter cæteras*.)

17. *Item* : that the same persons, and under the same conditions, if they shall visit with devotion any one of the said churches, chapels, or oratories in the vespers or days of the FINDING OF THE HOLY CROSS, NATIVITY OF OUR LORD JESUS CHRIST, ANNUNCIATION OF GLORIOUS ASSUMPTION OF THE BLESSED VIRGIN MARY, and the CELEBRATION OF ALL THE SAINTS, and shall pray as has been already said, every year, and on the said five days, and thus do, shall gain forty years of indulgence and pardon of all the penances that have been laid upon them, or are in any manner due. (Paul V. in the same Bull.)

18. And as this Bull speaks most especially of the confraternity and brethren of the glorious ST. PETER THE MARTYR, that they who serve the Holy Office may not doubt that they are included in all its spiritual benefits, although they are not enlisted in the said brotherhood, nor are those brotherhoods specially mentioned, it has been thought right to copy, word for word, its last chapter, which is as follows :—

19. *Item* : We determine that it is our intention that the said indulgences and graces be granted, as well to every one of the Inquisitors of heretical pravity as to the Commissaries, Consultors, and other officers of

the Holy Office of Inquisition against heretical pravity, and the ministers and familiars of the same, in whatever place they live or may be found, although they be not enrolled in the number of the said brethren, provided that every one serves in the ministry that belongs to him. And let the same be understood of all others who employ themselves in the service of the Holy Office of the Inquisition, notwithstanding any apostolical constitutions and ordinances, and our rule not to grant indulgences *ad instar*, or other rules that in any manner might be contrary. Given in Rome, in the Church of St. Mark, under the Fisherman's Ring, July 29, 1611, seventh year of our Pontificate.

20. All which indulgences and exemptions are not only granted as they are severally quoted, but are also respectively confirmed in various other bulls, and very particularly in one of Calixtus III., A.D. 1458, which begins, *Injunctum nobis desuper*, and another of St. Pius V. in the year 1570, which begins *Sacrosanctæ Romanæ et universali Ecclesiæ*, and are understood to apply to the said ministers of the Holy Office, proprietaries perpetually and meanwhile, apart from, and independently of their peculiar right, and the faculties which their titles expressly recite, and which belong to them by laws, agreements, use, observance and custom, confirmed in various pontifical and regal rescripts."\*

To this the Mexican Inquisitors add: "They must have the Bull of the Holy Crusade," for which provision, of course, there was a financial reason. Two reflections, moreover, are suggested by this extraordinary document:—*First*, that they must be ignorant indeed who, after reading it, fancy that the Inquisition was a mere private society, and not in the fullest sense a *part* of the Church of Rome. *The other*, that in the estimation of that Church, the killing of a heretic was equivalent with the charity that in the lowest acceptance of the phrase, *covereth a multitude of sins*.

\* MS. British Museum, 4071, f.



The general reader has now before him a sufficiently distinct account of the science of inquest and punishment of heresy. Those whose taste or whose duty may lead them to study more closely this branch of Romish legislation are referred to Eymeric himself, or to Farinacius, a Romish jurisconsult, whose folio volume saw the light in Rome about thirty years later, and was also circulated throughout Europe for the instruction of that host of practitioners which had spread itself all over Popedom, with or without the name of Inquisitor. We have yet to exhibit, in the Appendix, a later document, having a character of its own, but now proceed to trace the action of this horrid institution in those countries where it was formally established. That document is the Spanish *Cartilla*, which will, no doubt, be perused with the attention it so well deserves.

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## CHAPTER VII.

## SPAIN.

## ESTABLISHMENT OF A SUPREME COUNCIL.

"BETTER and happier luck for Spain,"—I translate the words of Mariana,\*—"was the establishment, in Castile, which took place about this time, of a new and holy tribunal of severe and grave judges, for the purpose of making inquest and chastising heretical pravity and apostasy, judges other than the bishops, on whose charge and authority this office was anciently incumbent. For this intent the Roman Pontiffs gave them authority, and order was given that the princes should help them with their favour and arm. These judges were called Inquisitors, because of the office which they exercised of hunting out and making inquest, a custom now very general in Italy, France, Germany, and also in the kingdom of Aragon. Castile, henceforth, would not suffer any nation to go beyond her in the desire which she always had to punish such enormous and wicked excesses. We find mention, before this, of some Inquisitors who discharged this function, but not in the manner and force of those who followed them.

"The chief author and instrument of this very salutary grant was the Cardinal of Spain (Mendoza), who, had seen that in consequence of the great liberty of past years, and from the mingling of Moors and Jews with Christians in all sorts of conversation and trade, many things went out of order in the kingdom. With that liberty it was impossible that some Christians should not be infected: many more, leaving the reli-

\* *Historia General de España*, libro xxiv., capitulo 17.

gion which they had voluntarily embraced as converts from Judaism, again apostatised, and returned to their old superstition—an evil which prevailed in Seville more than in any other part. In that city, therefore, secret searches were first made, and they severely punished those whom they found guilty. If their delinquency was considerable, after having kept them long time imprisoned, and after having tormented them, they burnt them. If it was light, they punished the offenders with the perpetual dishonour of their family. Of not a few they confiscated the goods, and condemned them to imprisonment for life. On most of them they put a *sambenito*, which is a sort of scapulary of yellow colour, with a red St. Andrew's cross, that they might go marked among their neighbours, and bear a signal that should affright and scare by the greatness of the punishment and of the disgrace; a plan which experience has shown to be very salutary, although, at first, it seemed very grievous to the natives."

Cardinal Mendoza might have been an instrument of establishing the new tribunal in Spain, but no author was wanted for that work. Pope Gregory IX., fit successor of Innocent III., had completed in Spain, as in the county of Toulouse and kingdom of France, the scheme which his uncle Innocent began. By a Bull, dated May 26th, 1232, he appointed Dominican friars inquisitors in Aragon, and forthwith proceeded to confer the same benefit on the kingdoms of Navarre, Castile, and Portugal; Granada being in possession of the Moors. Ten years later, in a Council of Tarragona, the chief technicalities of the Spanish Inquisition were settled. At the invitation of Peter, Archbishop of Tarragona, Raymund of Peñaforte, the Pope's Penitentiary, presided. The definitions of the Council are notable for the determination they evidence to conduct the affairs of the tribunal with entire legal precision and formality. The *vocabulary* was now settled, and one has only to turn to the Acts of the Council of

Tarragona to find the exact meaning of "heretic, believer, suspected, simple, vehement, most vehement, favourer, concealer, receiver, receptacle, defender, abettor, relapsed." A few rules were laid down, and some of the forms prescribed which I have recited in the preceding chapter, as afterwards employed in official practice.\*

As I noted from Mariana, and as every one may well know, no inconsiderable part of the Spanish population consisted of Jews, many of whose ancestors had taken refuge in that country, or had settled there for purposes of commerce, ages before the birth of our Lord; and their number had been increased from time to time, in consequence of imperial edicts which drove them from Italy, or by the attractions of honour and wealth in Spain. They were the most industrious, and therefore the most wealthy, people in those kingdoms, and had possessed great influence. Their learned men occupied important stations as physicians, agents of government, and even officers of state; while the "New Christians," or Jews professedly converted to Christianity, were intermarried with the highest families in Spain; and all this had taken place in spite of the enmity of the clergy, popular bigotry, and the adverse legislation of Cortes or Parliaments. But the wealth which procured Jews and New Christians so much worldly influence, became the occasion of great suffering. The "Old Christians," being less industrious, and therefore less affluent, were frequently their debtors. And although usury was checked by legislators, who dreaded its pressure on themselves, and debts were often repudiated, the Jews maintained their position of creditors; and, as the *Cartilla* says, creditors are often unreasonable persons, or, at least, are considered to be such. Christians of pure blood, therefore, finding themselves involved in long reckonings, became increasingly impatient, and, under a cloak of zeal for the Catholic religion, were inces-

\* *Conc. Tarraconense*, A.D. 1242.

santly embroiling them with the magistracy, or stirring up the populace against them.

Llorente estimates the number of Jews who perished under the fury of mobs, in the year 1391, at upwards of one hundred thousand. To evade persecution, multitudes submitted to be baptized. More than a million had changed name at the end of the fourteenth century. After those tumults, controversial preachers, such as San Vicente Ferrer, declaimed for Popery against Judaism; and in the first ten years of the fifteenth century, a second multitude of forced converts threw themselves into the bosom of the Romish Church, to the discouragement of their brethren, and to their own confusion at last. They were set under the keenest vigilance of the Inquisitors, without being able even to counterfeit any attachment to the Church whose most grievous yoke they had put on, but which in heart they hated.

Now the Church gloried over the declension of Judaism. In presence of Benedict XIII., Antipope, a Spaniard, wandering in Spain, because in Rome they would not own him, a formal disputation was carried on for sixty-nine days between Jerome of Santa Fé, and other converts,—or as the Jews not improperly called them, apostates,—on the one side, and a company of rabbis on the other. Such a controversy, carried on in the presence of even a half-Pope, could only come to the prescribed conclusion; and after seeing all power of persuasion and corruption exhausted to bring over the Hebrews to his sect, but without much success, Benedict closed the debate, pronounced the Jews vanquished, and gave them notice of severer measures. The richer from interest, the poorer from bigotry, and the priesthood from instinct, poured contempt even on proselytes, whom they classified according to their supposed degrees of heterodoxy. Some were called *Converts*, to note the newness of their Christianity; others, *Confessed*, to tell that they had confessed the falseness of Judaism. Sometimes they

were branded as *Marranos*, from the words *marán athá*, which the priests, in their ignorance, took to mean *accursed*. The whole were spoken of as a generation of *Marranos*, or, worst of all, in the imagination of a Papist, *Jews*. Goaded by the cowardly persecution, the proselytes groaned after deliverance; a few even dared to renounce the profession of a faith they never held, and many resumed the practice of Jewish rites in private. This opened a new field to the zeal of the Inquisitors; but the labour of suppressing a revolt so widely spread, so rapidly extending, and even infecting the Romish families with whom the imperfect converts were united, was more than the Inquisitors could undertake without a more powerfully-organised system of their own.

I believe that the fear of the Bible, and the hatred of the Jews of Spain, first imprinted in the page of history, by the Council of Illiberis in the beginning of the fourth century, was in course of time much aggravated by the earnest love of the Spanish Jews for the original Scriptures of the Old Testament. It was not until the eleventh century that Rabbinical tradition gained much hold in the Jewish mind in Spain, but from the first Christians had cursed Jews in sincere but blind zeal against the descendants, as they thought, of those who crucified our Lord in Jerusalem. Yet the Sephardim in Spain could have had no knowledge of the crucifixion until some weeks, at soonest, after it had taken place, and perhaps never knew of the hostility of the Jews in Jerusalem against the Saviour.

Until the dispersion of the eastern colleges in the eleventh century, no great rabbis came into Spain with pretension of authority to enforce Talmudical traditions. When zealots of the sort did come, they found a community of Hebrews far superior to the Jews of Palestine. No Assyrian had bribed them to worship the gods of Nineveh. Their neighbours the Carthaginians, so long as Carthage stood, had persisted in worshipping the Baal and the Ashtaroth that recreant

Israelites in Samaria and Jews in Jerusalem worshipped for ages; but while those gods had altars in Sidon and in Carthage, we do not hear of any altars being raised to them in "The captivity of Jerusalem which was in Sephárád," or *Spain* (Obadiah 20). Neither do we hear that those Jews betrayed any ambition to make a hedge to protect God's law, instead of taking care to keep it. But the first propagators of traditionism in Spain came from the East, on the breaking up of the great schools of Babylonia by the Persians. Ancient, or Karaite synagogues, remained in Spain until the expulsion of Jews at the close of the fifteenth century, and yet much later in the provinces that were not annexed to the United Kingdom of Castilla and Leon under Ferdinand and Isabella. Some of the strongest features of Biblical learning imparted to the literature of the Reformation in its earlier stages proceeded from the converted Jews of Spain. I have elsewhere treated this subject at greater length.\*

About the year 1470, when the persecution of both Jews and Mohammedans was at its height,—except in the kingdom of Granada,—and when the testimony quoted from the Old Testament against worship of images must have been extremely galling to the worshippers, the priests thought it necessary to enforce the prohibition of vernacular versions of the Bible. Such versions, we know, were then circulated, or beginning to be circulated more freely, in France, Spain, and Portugal. In Spain, one of the chief translators was Rabbi Moses of Toledo. To put a stop to Bible-reading, an appeal was made to Pope Paul II., who prohibited the translation of the Holy Scriptures "into the languages of the nations." This authority was quoted in the Council of Trent by Cardinal Pacheco, in justification of the practice of the Church of Rome in his day; but another Cardinal, Madrucci, arguing against him, replied with cutting calmness, that Paul,

\* *History of the Karaite Jews*, by W. H. RULE, D.D. Longmans, Green, and Co., 1870.

of Popes the Second, or any other Pope, might be easily deceived in judging of the fitness or unfitness of a law, but not so Paul the Apostle, who taught that God's word should never depart from the mouth of the faithful.\*

During the persecutions of the fifteenth century, while Ferdinand and Isabella made progress in reconquering the kingdom of Granada from the Moors; and Mohammedanism, like Judaism, was declining, the Moriscoes, a middle class, resembling the New Christians, and not less dangerous to Romanism, also challenged the powers of the Inquisition. No other country in Popedom was at that time more deeply imbued with disaffection to the doctrines and worship of the Church of Rome.

Then (A.D. 1477) one Brother Philip de' Barberi, a Sicilian Inquisitor, came to the court of Ferdinand and Isabella, who were sovereigns of Sicily, to solicit the confirmation of some privileges recently granted to the Holy Office in that island; and having observed the peril of the Church within the enlarged and united dominions of "the Catholic Kings" under whose rule nearly all Spain was comprehended, advised the creation of one undivided Court of Inquisition, like that of Sicily, as the only means of defence against the Marranos, Moriscoes, Jews, and Mussulmans.

The advice was quickly taken. First of all, the Dominicans, and after them the dignitaries of the secular clergy, crowded round the throne to pray for a reformation of the Inquisition after the Sicilian model. They appealed to the greed of King Ferdinand, by offering him the proceeds of a confiscation, which might be rapidly effected, in pursuance of laws of the Church to that intent provided. They appealed to the piety of Queen Isabella, and were careful that tales of Jewish murders and Jewish desecrations should be poured incessantly into the royal ear. Ferdinand had no scruple. He sincerely prayed the

\* PALLAVICINI, *Hist. Conc. Trid.* vi. 12, 1.



Pope to sanction such a measure; and, swiftly as couriers could bring it, came the desired Bull. Isabella could not blame the zeal of priests and monks; for she, too, was a zealot. She could not gainsay the urgency of the Nuncio. She could not quench in her husband's bosom the thirst of gold. But she had brought half the kingdom as her dower; and therefore some deference was due to her conscience and judgment, and both in conscience and judgment she desired gentler measures. During two or three years her orator and confessor wrote books, and preachers were permitted to publish arguments, and disputants to enter into conferences, for the conviction of the Jews.

At Her Majesty's request, Cardinal Mendoza issued a Constitution in Seville (A.D. 1478), containing "the form that should be observed with a Christian, from the day of his birth, as well in the sacrament of baptism as in all other sacraments which he ought to receive, and of what he should be taught, and ought to do and believe as a faithful Christian, every day, and at all times of his life, until the day of his death. And he ordered this to be published in all the churches of the city, and put in tables in each parish, as a settled constitution. He also published a summary of what curates and clerks should teach their parishioners, and what the parishioners should observe and show to their children." Thus does Hernando del Pulgar, in his Chronicle of the Catholic Sovereigns, describe what some too hastily call a Catechism. It was merely a standard of things to be believed and done, set forth by authority. The King and Queen also, *not the Cardinal*, commanded "some friars, clerks, and other religious persons, to teach the people." But no true Jew would let himself be taught that idolatry is not damnable; and even the less discouraging issues of controversy with the vacillating or the ignorant were not honestly reported.

The Constitution of Cardinal Mendoza, and the harangues of the friars, were ineffectual: as well they

might be; for the Jews knew that the Christians had a sacred book, said to be written by Divine inspiration as well as the Law of Moses; and if that book was not put into their hands, they could scarcely be expected to believe a religion whose chief written authority was kept out of sight. That it was indeed kept out of sight was undeniable; and the notorious Alfonso de Castro, chaplain of Philip II., boasted, in his book against heresies, that there was "an edict of the most illustrious and Catholic Sovereigns of Spain, Ferdinand and Isabella, in which, under the severest penalties, they forbade any one to translate the Holy Scriptures into a vulgar language, or to have any such version in his possession. For they were afraid lest any occasion of error should be given to the people over whom God had made them governors."\* The clergy maintained that conversion to the truth by argument was impossible; and, at their instance, the Bull was no longer kept in reserve, but was published in 1480.

The Queen's trial of humanity was ended; but a question of policy remained. The King and Queen remembered that they had an interest in Spain as well as the Pope; but they scarcely knew how that interest could be guarded, if the Inquisitors were allowed absolute power over the persons and property of their subjects. To have proposed lay assessors and open court would have provoked a quarrel with the Pope, then powerful enough to raise Europe in arms against them: therefore they modestly requested no more than that some priests nominated by the King should be associated with some others nominated by the Pope; or that the King should name all, and the Pope confirm his nomination. The "Catholic Sovereigns" calculated that nominees of Rome would, of course, prefer the rights of the Church to those of the Crown; but they fancied, or they wished to fancy, that priests of their own choice would prefer their

\* F. ALFONSI DE CASTRO ZAMORENSIS, *Adv. omnes Hæreses*, Venet., 1546, lib. i., p. 144.

interests to those of a stranger. This was an illusion, and therefore Rome made little difficulty; and after due correspondence, and some changes, the Supreme Council of the Spanish Inquisition was constituted thus:—

*Inquisitor-General.* Friar Thomás de Torquemada: of whom Llorente says that it was hardly possible that there could have been another man so capable of fulfilling the intentions of King Ferdinand, by multiplying confiscations; those of the Court of Rome, by propagating their jurisdictional and pecuniary maxims; and those of the projectors of the Inquisition, by infusing terror into the people by public executions.

*Two Assessors.* Juan Gutierrez de Chabes and Tristan de Medina, jurisconsults.

*Three King's Counsellors.* Don Alonso Carillo, a bishop elect, with Sancho Velasquez de Cuellar and Poncio de Valencia, doctors of Civil Law. In matters relating to royal power they were to have a definite vote; but in affairs of spiritual jurisdiction they could only be suffered to offer an opinion, inasmuch as all spiritual power resided in the chief Inquisitor alone.

Under the jurisdiction of the Supreme Council were four subordinate tribunals, and, eventually, several others were added; while some Inquisitors, hitherto holding special powers from the Pope, were stripped of their independence, that the Court of Rome might have one uniform action throughout Spain. As the Holy Office advanced in labours and experience, the Supreme Council was enlarged; and at last it consisted of a president—Inquisitor-General for the time being—six counsellors with the title of apostolic; a fiscal; a secretary of the chamber; two secretaries of the council; an alguacil-in-chief, or sheriff; one receiver; two reporters; four apparitors; one solicitor; and as many consultants as circumstances might require. Of course, these were all maintained in a style worthy of their office. The Inquisitor-General, or president of

the council, exerted an absolute power over every Spanish subject, so that he almost ceased to be himself a subject. He alone consulted with the King concerning the appointment of Inquisitors to preside over all the provincial tribunals. Each of those inferior Inquisitions was managed by three Inquisitors, two secretaries, one under-sheriff, one receiver, and a certain number of triers and consulters. Their functions were considerably restricted, leaving all capital cases and ultimate decisions in the hands of the Madrid "Supreme."

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## CHAPTER VIII.

X  
SPAIN.

## EARLY ACHIEVEMENTS.

BUT while Ferdinand, Isabella, Torquemada, and the Nuncio were concerting their plans, and preparing death for heretics, what said Spain to it?

Neither were clergy nor laity content. After the Bull of Sixtus IV., empowering the King to name Inquisitors furnished with absolute authority, and to remove them at pleasure, had arrived, but lay unpublished in consequence of the Queen's repugnance, a provincial Synod sat at Seville, where the regal Court then was (A.D. 1478). Had the clergy of Castile desired the Inquisition, the Synod would have said so; but so far were they from approving of such a tribunal, to which every bishop would be subject, but where no bishop would any longer have a voice, that they passed over the affair of heresy in silence, not consenting to accept the Inquisition, yet not presuming to remonstrate against it. Then would have been the time for the clergy to add their power to that of the throne for the suppression of false doctrine; believing, as they did believe, that forcible suppression was not only lawful, but meritorious in the sight of God; and so they would probably have done, if Inquisitor and bishop were to have had co-ordinate jurisdiction, as in the first Inquisition of Toulouse, and in the early Italian Inquisition; but they saw, with alarm, that the episcopate was to be despoiled of its authority at a stroke.

A few months before the publication of the Bull, but long after every person in Spain knew the purport

of its contents, and in the certainty that it would be carried into execution, the Cortes of Toledo met; but, instead of avoiding any act that would interfere with the new jurisdiction then to be introduced, they made several provisions for separating Jews and Christians, by the enclosure of Jewries in the towns, and for compelling the former to wear a peculiar garb, and abstain from exercising the vocation of surgeon, or physician, or innkeeper, or barber, or apothecary, among Christians. The Parliament plainly ignored the Inquisition in making this enactment on their own authority.

And what said the magistracy and the people? Seville represented the general state of feeling at the time. There, when a company of Inquisitors presented themselves, conducted into the city by men and horses which had been impressed for the purpose by royal order, the civil authorities refused to help them, notwithstanding the injunctions of the Bull, the obligations of Canon Law, and a mandate from the Crown. The new Inquisitors found themselves unable to act, for want of help; meanwhile, the objects of their mission forsook the city, and found shelter in the neighbouring districts; and Ferdinand had to issue specific orders, to overpower the hostility of all classes of the people, and to compel the magistrates to assist the new set of officers ecclesiastic. These orders were most reluctantly obeyed.

Thus fortified, the Inquisitors took up their abode in the Dominican convent of St. Paul, and issued their first mandate (January 2nd, 1481). They said that they were aware of the flight of the new Christians; and commanded the Marquis of Cadiz, the Count of Arcos, and all the dukes, marquises, counts, gentlemen, rich men, and others, of the kingdom of Castile, to arrest the fugitives, and send them to Seville within a fortnight, sequestering their property. All who failed to do this were to be excommunicated as abettors of heresy, deposed from their dignities,

and deprived of their estates; and their subjects were to be absolved from homage and obedience. Crowds of fugitives were driven back into Seville, bound like felons; the dungeons and apartments of the convent overflowed with prisoners; and the King assigned the castle of Triana, on the opposite bank of the Guadalquivir, to the "New and Holy Tribunal," to be a place of safe custody. There the Inquisitors, elate with triumph over the reluctant magistrates and panic-stricken people, shortly afterwards erected a tablet, with an inscription, in memory of the first establishment of the modern Inquisition in western Europe. The concluding sentences of the inscription were: "God grant that, for the protection and augmentation of the faith, it may abide unto the end of time!—Arise, O Lord, judge Thy cause!—Catch ye the foxes!"

Their second edict was one of "grace." It summoned all who had apostatized to present themselves before the Inquisitors within a term appointed, promising that all who did so, with true contrition and purpose of amendment, should be exempted from confiscation of their property,—it was understood that they would be punished in some other way,—but threatening that if they allowed that term to pass over without repentance, they should be dealt with according to the utmost rigour of the law. Many ran to the convent of St. Paul, hoping to merit some small measure of indulgence. But the Inquisitors would not absolve them until they had disclosed the names, calling, residence, and given a description of all others whom they had seen, heard, or understood to have apostatized in like manner. After getting this information, they bound the terrified informers to secrecy.

This first object being accomplished, they sent out a third monition, requiring all who knew any that had apostatized into the Jewish heresy, to inform against them within six days, under the usual penalties. But they had already marked the very men; and those

suspected converts suddenly saw the apparitors inside their houses, and were dragged away to the dungeons. New Christians who had preserved any of the familiar usages of their forefathers, such as putting on clean clothes on Saturdays, who stripped the fat from beef or mutton, who killed poultry with a sharp knife, covered the blood, and muttered a few Hebrew words, who had eaten flesh in Lent, blessed their children, laying hands on their heads, who observed any peculiarity of diet, or distinction of feast or fast, mourned for the dead after their ancient manner, or whose friends had presumed to turn the face towards a wall when in the agony of death;—all such being vehemently suspected of apostasy, were to be punished accordingly. Thirty-six elaborate articles were furnished, whereby every one was instructed how to ensnare his neighbour.

But what shall we say of a faith that could only hope to be kept alive in the world by the extinction of charity, honour, pity, and humanity? Llorente describes the immediate issue.

“Such opportune measures for multiplying victims could not but produce the desired effect. Hence, on the 6th of January, 1481, there were burnt six unhappy persons; sixteen on the 26th of March; many on the 21st of April; and, by the 4th of November, two hundred and ninety-eight in all. Besides these, the Inquisitors condemned seventy-nine to perpetual imprisonment. And all this in the city of Seville only; since, as regards the territories of this archbishopric and of the bishopric of Cadiz, Juan de Mariana says that, in the single year of 1481, two thousand Judaizers were burnt in person, and very many in effigy, of whom the number is not known, besides seventeen thousand subjected to cruel penance. Among those burnt were many principal persons and rich inhabitants, whose property went into the treasury.

“As so many persons were to be put to death by



fire, the Governor of Seville caused a permanent raised pavement, or platform of masonry, to be constructed outside the city, which has lasted to our time," (until the French invasion, if not later,) "retaining its name of *Quemadero*, or Burning-place; and at the four corners four large hollow statues of limestone, within which they used to place the impenitent alive, that they might die by slow heat. I leave my readers to consider whether this punishment of an error of the understanding was consistent or not with the doctrine of the Gospel.

"Fear caused an immense multitude of others of the same class of New Christians to emigrate to France, Portugal, and even Africa. But many others, whose effigies had been burnt, appealed to Rome, complaining of the injustice of those proceedings; in consequence of which appeals, the Pope wrote, on the 29th of January, 1482, to Ferdinand and Isabella, saying that there were innumerable complaints against the Inquisitors, Fray Miguel Morillo and Fray Juan de San Martin especially, because they had not confined themselves to canon law, but declared many to be heretics that were not. His Holiness said that, but for the royal nomination, he would have deprived them of their office; but that he revoked the power he had given to the Sovereign to nominate others, supposing that fit persons would be found among those nominated by the General or the Provincial of the Dominicans, to whom the privilege belonged, and in prejudice of whose privilege the former nomination by Ferdinand and Isabella had been allowed."

So adroitly did the Pope take the absolute control of the Inquisition into his own hands under pretence of impartial justice, and leave the weaker tyrant to eat the fruit of his doings. But since that time, Pope and King have been again united in the management of the Holy Office, the latter, however, in abject subservience to the former.

Neither in the appeals nor in the Brief was there

anything that could divert Torquemada from the prosecution of his purposes; and therefore he hastened to bring Aragon under his jurisdiction. Ferdinand convened the Cortes of that kingdom in the city of Tarragona (April, 1484); in that assembly appointed a *junta* to prepare measures for the establishment of another tribunal; and then Torquemada, in pursuance of the latest pontifical decision, created Friar Gaspar Inglar, a preacher of the Dominican community, and Doctor Pedro Arbues de Epila, a canon of the metropolitan church, Inquisitors. The King gave a mandate to the civil authorities,—a firman, it might be called,—compelling them to lend aid to the new officers; and on the 13th of September following, the Grand Justice of Aragon, with his five lieutenants of the long robe and various other magistrates, swore upon the Holy Gospels that they would give men and arms to defend and to enforce the authority of the Holy Inquisition. And as they swore thus, the King's chief secretary for Aragon, the protonotary, the vice-chancellor, the royal treasurer, (whose own father and grandfather were Jews, and persecuted by the old Inquisitors,) together with a multitude of persons of high rank and office, in whose veins flowed Jewish blood, and whose descendants are now amongst the first families in Spain, looked on with dismay, and sent a deputation to Rome, bearing remonstrance against the newly-created Inquisition; and deputed others to present their appeal to the same effect at the court of Ferdinand and Isabella. All these deputies were afterwards proceeded against as hinderers of the Holy Office; and meanwhile the Inquisitors, in contempt of opposition, set themselves to work without delay.

In the months of May and June, 1485, two Acts of Faith were celebrated in Zaragoza, capital of Aragon, and a large number of New Christians burnt alive. The public was enraged, certainly, but helpless; yet not so helpless but that many woke to a conviction that since the Inquisitors had resorted to terror for the

conservation of the faith, they ought to be restrained by terror in their turn.

In the night of September 14th, 1485, one of the Inquisitors, Pedro Arbues, covered, as usual, with a coat-of-mail under his robes, and wearing a steel skull-cap under his hat, (for he was every moment conscious of guilt, and apprehensive of retribution,) took a lantern in one hand, and a bludgeon in the other; and, like a sturdy soldier of his peculiar Church, walked from his house to the cathedral of that same Zaragoza, to join in matins. He knelt down by one of the pillars, setting his lantern on the pavement. His right hand held the weapon of defence, yet stealthily, half-covered with the cloak. The canons, in their places, were chanting hymns. Two men came and knelt down near him. They understood, as most Spaniards do, how most effectually to attack a man, and how to kill him quickest. Therefore one of them suddenly disabled him on one side by a blow on the left arm. The other swung his cudgel at the back of the head, just below the edge of the steel cap, and laid him prone. He never spoke again, but expired in a few hours. This murder, as might be expected, was well made use of by the priests, serving them to plead the necessity of an Inquisition to repress violence; and the inhabitants of the city were instantly overawed by a display of high judicial authority which they had no power to resist.

Queen Isabella, horrified at the murder of her confessor, (for "Confessor of the Kings" was an honorary dignity conferred on each Inquisitor in Spain,) erected a monument to his memory at her own expense; and when the murders perpetrated by Arbues himself had somewhat faded out of public memory, he was beatified at Rome, and a chapel was constructed for his veneration in the church where he had fallen. Therein his remains were laid; and over the spot where he received the mortal blow a stone was placed, with the inscription:—"Siste, viator, &c. Stay, traveller! Thou

adorest the place (*locum adoras*) where the blessed Pedro de Arbues was laid low by two missiles. Epila gave him birth. This city gave him a canonry. The Apostolic See elected him to be the first Father Inquisitor of the Faith. Because of his zeal he became hateful to the Jews; by whom slain, he fell here a martyr in the year 1485. The most serene Ferdinand and Isabella reared a marble mausoleum, where he became famous for miracles. Alexander VII., *Pontifex Maximus*, wrote him into the number of holy and blessed martyrs on the 17th day of April in the year 1664. The tomb having been opened, the sacred ashes were translated, and placed under the altar of the chapel, (built by the chapter, with the material of the tomb, in the space of sixty-five days,) with solemn rite and veneration, on the 23rd day of September, in the year 1664."

Pius IX. canonized this Inquisitor; and in a few months afterwards summoned all bishops who could leave their sees to come to Rome, and pay the first act of worship to San Pedro Arbues and six other worthies, new-made saints. A multitude of bishops came. A larger number of saints than had been advertised were added to the Calendar. The ceremonial was extremely magnificent; but there was little enthusiasm displayed on the occasion beyond the precincts of St. Peter's. Murmurs of contempt and derision were heard throughout the new kingdom of united Italy.

The intelligence of that murder threw all Aragon into commotion. The powers, ecclesiastical and royal, panted for vengeance, and the murderers were put to a most painful death. The Jews and New Christians trembled with terror and with rage. The inhabitants of many towns, Teruel, Valencia, Lerida, and Barcelona included, compelled the Inquisitors to cease from inquest; and it was only by means of military force, after Edicts and Bulls had failed, that the King and Pope together could quash two years' public

resistance. In Zaragoza, where the murder had been contrived by a party of chief inhabitants, a consciousness of guilt weakened their hands, and they endeavoured to save themselves by flight. Thousands of people deserted the city, although they had no participation in the deed, and were everywhere treated as rebels; and in that migration incidents occurred which might throw a tinge of horrible romance on our history. Let me briefly mention two.

An inhabitant of Zaragoza found his way to Tudela, and there begged for shelter and concealment in the house of Don Jaime, Infante of Navarre, legitimate son of the Queen of Navarre, and nephew of King Ferdinand himself. The Infante could not refuse asylum and hospitality to an innocent fugitive. He allowed the man to hide himself for a few days, and then pass on to France. For this act of humanity Don Jaime was arrested by the Inquisitors, thrown into prison as an impeder of the Holy Office, brought thence to Zaragoza, a place quite beyond the jurisdiction of Navarre, and there made to do open penance in the cathedral, in presence of a great congregation at high mass. And what penance! The Archbishop of Zaragoza presided; but this Archbishop was a boy of seventeen, an illegitimate son of the King; and he it was that commanded two priests to flog his father's lawful nephew, the Infante of Navarre, with rods. They whipped Don Jaime round the church accordingly.

The other case was diabolical. Gaspar de Santa Cruz escaped to Toulouse, where he died, and was buried, after his effigy had been burnt in Zaragoza. In this city lived a son of his, who, as in duty bound, had helped him to make good his retreat. This son was delated as an impeder of the Holy Office, arrested, brought out at an Act of Faith, made to read a condemnation of his deceased father, and then sent to the Inquisitor at Toulouse, who took him to his father's grave, and compelled him to dig up the corpse, and

burn it with his own hands. Whether the Inquisitors were most barbarous, or the young man most vile, it may be difficult to say. But it is a most infamous glory of the Inquisition, that, for satisfaction of its own requirements, the express laws of God and man, and the first instincts of humanity, are equally set at nought.

The Arch-Inquisitor of Spain, shortly after his accession to the office, summoned the subalterns from their stations to meet him at Seville, and framed, with them, a set of instructions for uniform administration. They were published, twenty-eight in number, on October 29th, 1484. On January 9th, 1485, eleven more were added. The spirit of these instructions pervades the Directory of Eymeric, into which they were incorporated by his commentator, and have already passed under our view. It is only important to mention here, that on the present occasion an agent was appointed to represent this Inquisition at Rome, and there to defend the Inquisitors on occasion of appeals from the subjects of inquisitorial violence, or from their friends or their survivors. And this was in spite of a Bull sent into Spain two years before, appointing the Archbishop of Seville sole judge of such appeals. But that Bull was a mere feint for conciliation, and never acted on at Rome.

We must not fail to mark this point in the history, forasmuch as here begins the practically juridical relation between the Court of Rome, as supreme, and the provinces of the Romish Church, as subordinate, in matters concerning inquisition. More, much more, of this hereafter; but let it now suffice to say that, during thirty years after the establishment of the modern Inquisition in Spain, every one who could effect an appeal to Rome, either by memorial or in person, and who paid for the dispatch of Briefs, obtained the indulgence or the exemption he desired, but that held good only until an opposite party came after him, and purchased a contrary decision. In this way the

King, the Inquisitors, and the New Christians, all bought, and all were cheated in their turn ; but money flowed from all sources into the Roman Datary, and that was quite enough to satisfy the fathers of the faithful.

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## CHAPTER IX.

## SPAIN.

## DEALINGS WITH MOORS AND JEWS.

THE first resistance having been overcome in Aragon, and the new discipline of inquest and execution being fully organised in that kingdom, the Holy Office gained a position of unexampled influence in the general government of Spain, and impressed a singular character on the subsequent history of the nation. We have to glance for a moment at its dealings with the Moors, after whom it proceeds to work out the extirpation of the Jews.

The so-called Catholic Sovereigns have conquered the Moors everywhere, Granada alone excepted. Their army is laying siege to that noble city. The inhabitants know that resistance is hopeless, and send out a flag of truce. Hostilities are to be suspended for sixty days. The chief men of Granada come into the royal camp, and are encouraged to propose terms of capitulation. Their demands are large for a conquered people to make at the close of a hard campaign; but the Spaniards are tired of battles, and resolve to grant almost any terms, trusting to the chance of events for what cannot now be obtained without wearisome negotiation, or continued war. They agree to give this brave remnant of the Saracens a tract of country towards the sea-board, known as the Alpujarra, to be occupied by them as crown land, on very easy conditions,—a handsome weight of gold, a general amnesty, and special privileges to the Moorish King, Abdilèhi, with his family. As many Moors as choose are to quit the city, with all their portable



property, except fire-arms and ammunition. Further articles, to be hereafter settled, will be ratified on delivery of the castle of the Alhambra, and other fortifications, to Ferdinand and his garrison.

These articles are prepared with careful deliberation during forty days, with every possible appearance of good faith on the part of the Spaniards. If they are honestly fulfilled, the Moors will be a free people, dwelling unmolested in the hilly tract assigned to them, with its twelve towns. In Granada and the suburbs they will remain peaceably, cultivating the gardens in their own inimitable manner, and shall not suffer any badge of infamy, nor the least mark of disrespect. They will have their own laws, customs, and religion. But on this point an historian of the Inquisition should be explicit, and recite the two articles which seem, most of all, to guarantee them shelter from persecution. I translate closely from the very words of the treaty, as recorded by Marmol.

“That it shall not be permitted that any person, either by word or deed, ill-treat Christian men, or Christian women, who have turned Moors before these capitulations. And that, if any Moor shall have married any renegade woman, she shall not be forced to be a Christian against her will, but shall be interrogated in presence of Christians and Moors, and follow her own pleasure. And the same shall be observed as to boys and girls born of a Christian woman and a Moorish husband.

“That no Moor, either man or woman, shall be forced to become a Christian; and if any young woman, or wife, or widow, shall wish to turn Christian, for the sake of any attachment she may have, she shall not be received until she has been questioned; and if she has taken any property, or jewellery, from the house of her parents, or from any other place, it shall be restored to its owner, and the guilty parties shall be punished.”

On the day appointed, (January 2nd, 1492,) the

Cardinal Archbishop of Toledo, Don Pedro Gonzalez de Mendoza, puts himself at the head of a strong force, with some pieces of artillery, and marches into Granada, to take possession of the Alhambra. Ferdinand and Isabella follow afar off, leading the main body of the army. The vanquished Abdilèhi meets Mendoza, bids him take possession of those fortifications for the mighty sovereigns to whom God has given them for the sins of the Moors; and then, turning his back upon the ancient seat of royal power and grandeur, goes away, sorrowful and unarmed, to deliver himself to his conquerors. Isabella has halted at a distance, but within view of the citadel, where she cannot yet see the Spanish flag. Abdilèhi and her husband meet, and she, fearing some treason or some reverse, stands pale and trembling with suspense amidst her priests, who are not much more courageous than their mistress. At length she sees the army move toward the gates, covering the hill-side as they march up. As they enter, the Crescent falls, and the standard of Castilla and Leon, surmounted by a silver cross, is hoisted. Granada is theirs. The war is over; the pagans are under foot. The whole chapel strikes up a loud chant, and one *Te Deum* suffices for thanksgiving.

Now dissimulation is no longer needed; and, notwithstanding their treaty above cited, the new Sovereigns instantly appoint Fray Hernando de Talavera to be the first Archbishop of Granada, a city without so much as one Christian inhabitant. So does this new Archbishop march in with the Spanish troops, and apply himself to the work of converting the Moors. His first measure is to make himself agreeable; and in a very short time, not yet mentioning doctrine to the inhabitants, his charities and affability have so won their good opinion, that they pay him great reverence, and call him the chief Alfaqui of the Christians. By this time, indeed, the said Christians have stealthily crowded into Granada, and mass is already sung with

high significance. Still, we must do Fray Hernando the justice of saying, that he is a humane man, and, so far as possible in the circumstances, reasonable.

Now begins the action of the Inquisition on a great scale indeed, yet not on the Moors first.

It is very remarkable that, by one article of the capitulation of Granada, every Jew found in the city on its occupation by the Spaniards was to be shipped away to Barbary, if he did not become a Christian within three years. This shows that expulsion of the Jews must have entered into the counsels of Ferdinand and Isabella, with their priests, long before this time, although none of the Jews appear to have had the least suspicion of a design to ruin them by any act beyond the ordinary course of persecution.

Jewish armourers were, at that very moment, working in the Spanish camp. Jewish victuallers provided the daily rations. Jewish brokers advanced money to pay the troops. It is by no means unlikely that they were Jews who raised the gold which Ferdinand and his Queen had bargained to give the Moorish King. And it is indisputable that, but for the assistance of that people, in the absence of any efficient system of national finance in Christian Spain, Granada could never have been conquered.

But there could be no good faith while an Inquisitor-General ruled the royal conscience. Torquemada followed the Court; and, as the King's confessor, may have heard the King's aspirations after wealth, and understood his unwillingness—inability, perhaps—to pay his debts. The zeal of the Inquisitor and the dishonesty of the King most opportunely harmonised; and it only remained for them to contrive some scheme whereby both passions might be satisfied. Such a scheme could be had by wishing. Some monks collected a report that some Jews had stolen a consecrated host, with intention to kill a Christian child, make the host into paste with his warm blood, and thereby poison the Inquisitors. It was reported

that some particles of a crumbled wafer had found their way into a synagogue, and got between the leaves of a Hebrew Prayer-Book. Some one said that he saw the substance emit a bright light; and, conjecturing from that signal that the particles were divine, and that a crime of sacrilege had been perpetrated, made his thoughts known to a priest. The Jews' guilt being thus miraculously brought to light, as they pretended to imagine, certain priests and monks remembered that those rich and serviceable Israelites had been wont to commit sacrilege and murder from spite to the Christians; and numerous tales of the kind instantly resounded in the palace of the Alhambra, where the victorious, but scarcely solvent, sovereigns resided. Torquemada gave an opportune judgment, that the kings ought to cleanse the soil of Spain from so vile a race; and Ferdinand and Isabella accordingly issued an edict from Granada, dated less than three months after the day of occupation (March 30th, 1492), to banish the entire people out of all Spain, excepting only such as might choose to surrender their faith, and retain their homes in reward of their apostasy.\*

The edict is long, but its contents may be shortly stated. Their Highnesses were informed that the Jews had been perverting Christians by their superstition; and seeing that neither separation of them in the Jewries from the population, nor even examples of death by fire, under sentence after inquisition,—nor yet impaling others alive, they might have added,—had restrained them from their attempts to overturn the Christianity of Spain, they resolved on a final and effectual remedy. They did not imagine that all the Jews were guilty; but they conceived that when any

\* If Romanism were Christianity, and not idolatry, and if the transition to it from the synagogue were voluntary, through faith in our Lord Jesus Christ, that change would be *conversion*, causing joy in the presence of the angels of God. But, in the contrary case before us, renunciation of Judaism deserves no better name than that given to it in the text.

detestable crime was committed by some members of a college or university (*community*), that college or university should be dissolved and annihilated. Therefore they commanded all Jews and Jewesses to quit their kingdoms, and never to return, not even for a passing visit, under penalty of death. The last day of July was to be the last of their dwelling in the country; and after that day any person, of what rank soever, who should presume to receive, shelter, protect, or defend a Jew or Jewess, was to forfeit all his property, and be discharged from his office, dignity, or calling. During those four months, the Jews might sell their estates, or barter them for heavy goods; but they were not to take away "gold, silver, money, or other articles prohibited by the laws of the kingdom" from exportation.

The decree of Ahasuerus was not more terrible; and scarcely could the mourning, and weeping, and wailing heard throughout the provinces of Persia have surpassed those of the Spanish Jews. They cried aloud for mercy, and offered to submit to any law, however oppressive, if they might remain in their beloved country.

Rabbi Abarbanel, whose name is familiar to every Hebrew scholar, a reputed descendant of the family of Judah, a man who had enjoyed the confidence of successive sovereigns, whom Ferdinand and Isabella had summoned to their court eight years before, and whose services availed them largely while he farmed the royal revenue,—this aged Hebrew found his way into the Alhambra, knelt before them weeping, implored pity on his nation, and offered to lay down as ransom six hundred thousand crowns of gold. Again he returned; and, to use his own words,\* "I wearied myself to distraction in imploring compassion. Thrice on my knees I besought the King: 'Regard us, O King! use not thy servants so cruelly. Why do thus to thy servants?'

\* Translated by Mr. Lindo, in his very valuable *History of the Jews of Spain and Portugal*.

Rather exact from us our gold and silver, even all that the house of Israel possesses, if he may remain in his country.' I likewise entreated my friends, the King's officers, to allay his anger against my people. I implored the councillors to advise the King to repeal the decree. But as the adder closes its ear with dust against the voice of the charmer, so the King hardened his heart against the entreaties of his supplicants, and declared that he would not revoke his edict for all the wealth of the Jews. *The Queen at his right hand opposed us*, and urged him to continue what he had begun. We exhausted all our power for the repeal of the King's sentence; but there was neither wisdom nor help remaining."

The truth is, that those offers and intercessions had nearly prevailed. Fourteen years before, indeed, this very Queen had tried to convert the Jews by gentle measures; but they could not be argued into Popery, and now her heart is hardened against them: but the King was calculating whether he had not better accept the ready money, instead of trusting to get a share in the profits of the other scheme, which would be squandered among many claimants. But the First Inquisitor ended his hesitation in a moment. Torquemada rushed into a room where the King and Queen were sitting, held up a crucifix, and shouted, at the top of his voice, "Judas sold the Son of God once for thirty pieces of silver: your Highnesses are going to sell Him the second time for thirty thousand. Here He is! Here you have Him! Sell Him, if you will!" And then the audacious friar laid the crucifix on the table before them, and bolted away in a rage. As for their Highnesses, the full weight of Papal indignation seemed to hang over them, and Abarbanel and his friends were put to silence. Here, indeed, the tribunal did not act; but its head and its members acted; or, which is the same thing, engaged their priest-ridden sovereigns to act instead of them. The expulsion of the Jews, therefore, must not be over-

looked, as if it were not a deed of the Inquisition. It was prompted and managed by the Chief Inquisitor.

Having so far prevailed, Torquemada made the most of his opportunity. He sent preachers through the country to convert the Jews, and published an edict, offering baptism and reconciliation; but very few submitted. He forbade his Christians to hold any intercourse with them after the month of April, or to supply them with food, shelter, or any necessary thing. A contemporary and eye-witness, quoted by Lindo,\* describes their condition at this time. "Within the term fixed by the edict, the Jews sold and disposed of their property for a mere nothing. They went about begging Christians to buy, but found no purchasers. Fine houses and estates were sold for trifles. A house was exchanged for an ass, and a vineyard given for a little cloth or linen. Although forbidden to carry away gold and silver, they secretly took large quantities in their saddles, and in the halters and harness of their loaded beasts. Some swallowed as many as thirty ducats, to avoid the rigorous search made at the frontier-towns and seaports by the officers appointed for the purpose. The rich Jews defrayed the expenses of the departure of the poor, practising towards each other the greatest charity; so that, except very few of the most necessitous, they would not become converts. In the first week of July they took the route for quitting their native land, great and small, old and young. They travelled on foot, on horses, on asses, in carts; each continuing his journey towards his destined port. They experienced great trouble, and suffered indescribable misfortunes on the roads and country they travelled; some falling, others rising; some dying, others coming into the world; some fainting, others attacked with illness; so that there was not a Christian that did not feel pity for them, and entreat them to be baptized. Some, through misery, professed to be converted; but these were

\* BERNALDEZ, *Chron. MS. de los Reyes Catholicos.*

very few. The rabbis encouraged the people, and made the young ones and the women sing, and play on pipes and tabors, to enliven them and keep up their spirits." All their synagogues were left unpurchased, to be turned into mass-houses without any compensation.

An emigration of fifteen hundred wealthy families first embarked. Ships were provided at Carthage, Valencia, Barcelona, Cadiz, Gibraltar, and other ports, to convey them to Africa, Italy, and the Levant; and they carried with them the dialect of the Spanish language, which to this day serves the Jews of those countries as a medium of common intercourse. Some perished at sea by wreck, disease, violence, or fire; and some by famine, exhaustion, or murder on inhospitable shores. Many were sold for slaves; many were thrown overboard by savage captains. Parents sold their children for money to buy food. On board one vessel, full of exiles, a pestilential disease broke out, and the captain landed all on a desert island, where they wandered about in unavailing quest of help. Heart-rending tales were told by the survivors. A mother carrying two infants, walking with her husband, expired on the road. The father, overcome with fatigue, fell fainting near his two children: on recovering his consciousness, he found them dead with hunger. He covered their bodies with sand. "My God!" exclaimed he, "my misfortunes seem to drive me to abandon Thy law; but I am a Jew, and will ever remain so." The crowded vessels carried disease into the port of Naples, where the inhabitants caught it, and they say that about twenty thousand were carried off. When another famishing division reached Genoa, they found the city also suffering from death or famine, and were met, on landing, by a procession of priests, of whom the foremost carried a crucifix in one hand, and a loaf in the other, to signify that they who would adore the image might have the bread. It pleased the Pope, Alexander VI., to give fugitives a better reception in his States, leaving his more distant



servants to do the heavier inquisitorial drudgery, and to bear the more flagrant scandal. Spain impoverished herself in his service by the loss of eight hundred thousand persons, besides many more who had already fled from the Inquisition during ten or twelve years of terror; and the whole had carried away an incalculably productive source of wealth.

Having expelled the Jews, Torquemada and his royal servants next turned their attention to the Moors and Moriscoes. But as this prince of Spanish Inquisitors did not live to see the accomplishment of his desire in regard to the Moors, of whom I have next to speak, we may anticipate the close of his administration of the Inquisition of Castile, not to interrupt the sketch following, and here note the number of his victims, according to the calculation of Llorente, which is quite exclusive of the Jewish exode, and appears to be very moderate, notwithstanding the customary charges of exaggeration and untruth laid against him by modern admirers or apologists of the Holy Office.

Burnt at the stake .....	10,220
Burnt in effigy, the persons having died in prison or fled the country .....	6,860
Punished with infamy, confiscation, perpetual imprisonment, or loss of civil rights .....	97,321
Total.....	114,401

An equal number of families, at least, must have been ruined; and there must have been yet another unrecorded number of persons whose lives were shortened by indigence and grief. Considering the number of his enemies and the badness of his conscience, we do not wonder that, in his later years, he was preyed upon by terror; and, to preserve himself from assassination, like his brother of Aragon, he never travelled without a body-guard of fifty familiars of the Inquisition mounted as dragoons, and two hundred more marching as foot-soldiers.

## CHAPTER X.

## SPAIN.

## EXPULSION OF MOORS AND MORISCOES.

THE persecution and expulsion of recusant Moors and reluctantly baptized Moriscoes from the kingdom of Granada was entirely the work of the Inquisition. But the action of the tribunal began stealthily, and its method was so adapted to the peculiar circumstances of the new province, that a hasty reader might attribute that to Spanish intolerance, which, in truth, belongs to priests and Inquisitors; and therefore, although we carefully avoid the general history of persecution, we cannot exclude this part of Spanish history from these pages.

“The Catholic sovereigns” had taken possession of Granada, and, after banishing their creditors, the Jews, rewarded the gentile vassals to whose arms they were chiefly indebted for the conquest with grants of confiscated land, and with vacated offices of trust. They invited to their court ecclesiastics of high repute for piety, such as it was, and wisdom of the kind required for their purpose.

Among the “religious” whom they summoned from their cells to render counsel in affairs of state, the court being in those days a sort of promiscuous and irresponsible cabinet, was Don Fray Hernando de Talavera, whom I have already mentioned. He was a friar professed of the order of St. Jerome, a man of ready wit and extensive information, an eminent preacher, learned in sacred literature and moral philosophy, and reputed to be unblamable in life. For twenty years he had been prior of a monastery near Valladolid, whence Ferdinand and Isabella, induced

by the fame of his virtues and talents, called him to their presence, made him one of their confessors, gave him the bishopric of Avila, and took him into their counsels. We mark this man the more carefully, because he appears in favourable contrast with other ecclesiastics of the court. After a large number of Christians had come to live in Granada, he begged to resign the see of Avila, in order to devote himself to the care of the new Church. His desire was honoured, and Pope Alexánder VI. sent him a *pallium*, with the title of Archbishop of Granada. With a revenue much inferior to that of the diocese resigned, he displayed little or no prelatie pomp, and applied himself diligently to the duties of a new charge, and to the conversion of the Moors.

His gentle spirit and spotless life won the veneration of the Moors, from whom he appears to have prudently concealed, at first, his purpose of attempting their conversion. Nor did he, so far as we can judge, propose to employ any sort of coercion, but endeavoured to teach them Christianity by the Word of God. He caused the Holy Scriptures to be translated into Arabic for their use;\* and, although the translation was never printed, it is not improbable that parts of it, at least before the suppression which soon took

\* It is now well known that there were older Arabic versions. Juan, "the prelate of Seville," in the year of our Lord 737, during the reign of Favila the Goth, translated the Bible, or some parts of it, for the use both of Christians and Moors. Mariana saw copies of it in various parts of Spain. So far back as the year 680, or thereabouts, John, Patriarch of the Jacobites, translated the four Gospels from Syriac into Arabic. Rabbi Saadiah, in the tenth century of our era, translated the Pentateuch and some other books. These works were not utterly suppressed, certainly not quite destroyed, for there are some manuscripts remaining which contain them, or extracts from them. But they were not known to the public in Spain when Hernando de Talavera did his work, and not only did Ferdinand and Isabella rebuke him sharply for what he had done, but the Inquisitors laid him under the penance of three years' severe restraint by way of atonement for his sin.

place, were copied for distribution. Mohammedans heard him willingly, meeting him by companies in private houses, where he addressed them through interpreters. Several of his clergy applied themselves closely to the study of Arabic, encouraged by the example of their diocesan; and Moors, emulating their industry, committed to memory the Decalogue, the Apostles' Creed, and several prayers. But the zeal that threw him into those labours in Granada, withdrew him from the court of Ferdinand and Isabella, whom counsellors of another spirit entirely governed in matters relating to religion. Torquemada chiefly held their conscience under his direction.

A first stroke of treachery was levelled at the last King of Granada, Zogoybi, "the Unfortunate;" for so the Arabs now call Abdilèhi, who was retired on the estates allotted to him in the Alpujarra. After living there peaceably for less than one year, he was surprised by the sudden appearance of a servant whom he had appointed to represent him in the train of the Catholic sovereigns in Aragon. The man came into his presence, bringing mules laden with eighty thousand ducats; and told him that he had sold his lands for that money, wherewith he had better go to Barbary, and there buy himself a resting-place, and avoid the danger which would surround him, if the Moors, encouraged by his presence, should disturb the tranquillity of Spain. The slave had been corrupted. Zogoybi submitted to a breach of faith which it was not in his power to redress, and embarked for Barbary, overwhelmed with grief and shame.

Now came an effort to convert or banish all the Moors.

The Inquisitors, headed by Don Diego Deza, successor of Torquemada, and their adherents, plied Ferdinand and Isabella with incessant entreaty to banish all who would not be converted and baptized. They affirmed that by such a measure the articles of capitulation granted on the surrender of Granada

would not be broken, since the condition of the Moors would be bettered by an arrangement of so great advantage to their souls; and they insisted that as Christians and Mohammedans could not possibly live together in peace, it was necessary for the public good that the latter should either be converted or expelled.

For a time the King and Queen hesitated to attempt the proposed expulsion, as they once hesitated to receive into Spain a severer form of Inquisition, and as they had more lately hesitated to expel the Jews. "Their Highnesses," says Marmol, "did not determine that such rigour should be used with their new vassals, because the land was not yet made sure, nor had the Moors altogether laid aside their weapons; and if haply they should be driven to rebellion by oppression in a thing on which they would feel so keenly, it might be necessary to renew the war." Their Highnesses thought the measure would be inexpedient, but scarcely perceived that it would be immoral. They were unwilling to be diverted by such a crusade from other projects, and they also hoped that the Moors, like other vanquished peoples, would gradually adopt the religion of their conquerors; "and that this might be effected by love and benevolence, they commanded the governors, alcaydes, and justices of all their kingdoms to favour the Moors, and not allow them to suffer any grievance or ill-treatment, and bade the prelates and the religious to endeavour to teach concerning the faith those who might freely choose to hear them, and to do it gently and with demonstration of love, without in the least oppressing them on that account."

It is not for us to discuss too narrowly how far this fair speech expresses the real intentions of the King and Queen: we know too well that it is not the language of their Church.

After six or seven years of conciliation, under the good care of Fray Hernando, a far different personage,







EDLINCK, Sculp.

FRANCISCO XIMENEZ DE CISNEROS.





Francisco Ximenez de Cisneros, Archbishop of Toledo, Primate of Spain, followed the court to Granada, saw the unusual charity displayed by the Archbishop of that province towards the inhabitants, and obtained a royal injunction to remain in the city and promote the great object of conversion, still exercising forbearance, and guarding against every occasion of tumult. But Ferdinand and Isabella made conciliation impossible by allowing Granada to be put under the power of the Inquisition of Cordova.

Hernando laid open his plans to his unwelcome colleague and ecclesiastical superior. He showed him a manuscript translation of the Holy Scriptures into Arabic, ready for the press, with a version of the Missal in the same language, as also of some rituals and other books used in worship. Ximenez objected to such an innovation. Hernando, for his part, judged that nothing better could be done for New Christians than to put the Word of God into their hands in an intelligible form; and he desired that prayers should be read in the vernacular language. He sustained his argument by citing the text of St. Paul; and justified his proposal by the example of the Greek Church, whose liturgies he believed to be still intelligible to the congregations, and by that of the Latin Church for many ages, until her ancient language ceased to be spoken by the people. Ximenez, on the contrary, thought himself strong in maintaining that the Moors would despise his Christianity if they understood it; and, rejecting the sentences of inspired writers as inapplicable to the condition of society in later times, declared that prayer in a known tongue would be an insufferable innovation, and forbade the publication of the versions.

Ximenez was not yet Cardinal, nor yet Inquisitor-General; but he must have been in communication with the Holy Office in Cordova. In the last year of the fifteenth century he began his mission to Moham-medans by holding some apparently amicable con-

ferences with their learned men, presenting to them articles of belief and theological arguments, mingled with offers of civil freedom, rewards and offices, if they would accept the first elements of Christianity, and teach them to their people. The bargain being struck, Moorish doctors were heard in the mosques declaiming against the superstitions and errors of Islam, and exhorting their congregations to embrace the faith of Christ. The reasons for conversion were not gathered out of the Bible, which none of them wished to think of, but were entirely suggested by the Primate, who had power to dispense the favours of the Crown. Such preaching could not but work wonders, and the doctors led three thousand of their brethren, as candidates for baptism, into the presence of Ximenez. They were baptised at once. He sprinkled them "with hyssop" as they walked past him. Hernando would have taught them first, but Ximenez feared that if they were not received then they would not come again. On the festival of Our Lady of the O,\* the mosque of the Albaycin, a quarter of the city privileged with independent jurisdiction, was consecrated to be a collegiate church, under the advocacy of the Holy Saviour. The selection of time, place, and person indicated a deep scheme, and the contriver would suffer nothing to hinder its prosecution.

Zegri, a Moorish prince, was said to have objected to the desertion of so many from his religion; and Ximenez, thinking to put Granada to silence by an effort of authority, had him arrested secretly, and imprisoned in the Alhambra, with a monk named Leon in the same cell. This monk's lion-like impetuosity, with threats of perpetual imprisonment if Zegri would not be baptised, overcame his obstinacy; and he not only submitted to baptism, but, having gone so far, endeavoured to make the best of the change by court- ing the favour of the superior powers.

\* Feast of the Expectation of the Birth of Mary, when the Holy Fathers cried, "O!" for joy.

Such proselytes continued to flock into the Church. The number is said to have risen to fifty thousand, and the Archbishop of Toledo resolved to accelerate the movement by a new measure. So long as a Mohammedan king occupied the palace of the Alhambra, Christian inhabitants of the province were to be found ready to change their religion for any chance of temporal advantage; and now the time was come for endeavouring to force the Elches, or renegades from Christianity, to return to the bosom of the Church. The Elche who refused obedience to the first summons was usually regarded as guilty of disrespect of authority, and arrested. These arrests became numerous, and recusants filled the prisons. At length, as an alguacil was leading away a woman of the Albaycin to prison, the people became infuriated, released the woman, and killed the alguacil. The general discontent then broke out in an insurrection of the city. A hundred thousand men, capable of bearing arms, were terrible by multitude and unity. The small garrison in the Alhambra could not attempt to act; and during ten days Ximenez was besieged in the citadel, which must have capitulated, if the Archbishop of Granada, whose gentleness the zealot had despised, had not walked into the midst of the multitude, imploring them to cease their violence. After kissing his garments, as usual, they complained of the breach of the articles of capitulation, and respectfully remonstrated against the arrests which Ximenez had committed, the public burning of their Koran, and the indignities of daily occurrence, which had become insupportable. The captain of the garrison then ventured to come forth, joined in the parley, and promised an amnesty, if they would desist from insurrection.

Intelligence of these events alarmed Ferdinand and Isabella. Ximenez, justly accused of mad precipitancy, found himself on the verge of disgrace, and hurried away to Seville, to justify his doings to the

sovereigns. With great adroitness, he not only appeased their anger, but, after some persuasion, succeeded in engaging them to treat Granada as a revolted city, and to regard the compact with its inhabitants as made void by rebellion.

The sovereigns had hesitated, but that was all. As they gave way before Torquemada, and banished the Jews, so now they succumb to his equally imperious successor, their spiritual guide, and give up the Moors. The Sultan, who had been appealed to from Granada, sent an embassy to demand that his brethren should not be forced into Christianity; but Ferdinand and his Queen assured the ambassador that there was no compulsion in the matter, and said that as it was evident that Mohammedans could not be loyal to a Christian King, those who did not freely change their religion should be taken over to Barbary. They engaged that, in that case, they should be allowed every facility for transit, with opportunity to sell their property before departure. Great multitudes chose to be baptised. Hernando de Talavera performed the ceremony in the gross; for ceremony it was, only ceremony,—assuredly not a Christian sacrament. Those who preferred to leave Spain found passage in the royal ships, were treated with the utmost civility while on board; the captains who conveyed them to the shores of Barbary delivered them to the governors of the several towns, and received certificates of humanity to exhibit on return. The Jews had not been so treated, because there was no earthly power to avenge their cause. The Church of the Inquisition, although she neither knew nor feared the God of Abraham, was afraid of the Sultan, whose religion, as they knew to their cost, was both propagated and defended by the sword. But no foreign Mohammedan was thenceforth allowed to enter Spain.

The inhabitants of the Alpujarra, aroused by these outrages, broke into open revolt; and a civil war

continued there, with intervals, through a period of twenty years. Our business, however, is only to observe the part taken in it by the Inquisition.

The Moriscoes, or baptised Moors, had nothing of Christianity but the name; and that name they hated, and were consequently exposed to the utmost severity of the Inquisition. Royal mandates were issued to compel them to learn Spanish, to dress like Spaniards, and to put away the garb, the language, and the customs of their nation. But it was evidently impossible to enforce the mandate, which was again and again withdrawn. By command of the Emperor Charles V., of whom we here speak as Charles I. of Spain, a board of consultation was holden at Granada, (A.D. 1526) under the presidency of Alonso Manrique, Archbishop of Seville and Inquisitor-General. It consisted of prelates and other dignitaries, with members of the Councils of Castile and of the Inquisition. They revived the obnoxious mandates, and devised methods of enforcement, under the direction of a distinct tribunal of Inquisition, then first established in Granada, for the whole province. Great numbers fled from that city and from the towns, and betook themselves to the highways and to the mountains, everywhere pursued as rebels or hunted by Inquisitors as heretics. For the consideration, however, of eighty thousand ducats, the Emperor promised that the severity of the Inquisition should be mitigated as to confiscations, and Clement VII. confirmed certain exemptions by a Bull.

To teach the Moriscoes what they were to expect, in spite of any indulgence the Emperor might grant, or of any remission of pecuniary penalties the Pope might sanction, in regard to a people who were now extremely impoverished, and had few among them possessing property enough to be objects of cupidity, the Inquisitors burnt alive, in Granada, a few Judaizing heretics. This "Act of Faith" took place just the year after Clement granted his Bull forbidding confiscations.

The severity of inquisitorial government may be estimated from a single instance. Until the year 1529 the Moriscoes had lived in separate quarters of the city, known by the general name of *Morerías*; but they were then compelled to change their habitations, and live among the "Old Christians," so that no two Morisco families might be in near communication. Their most trifling actions were marked, and reported to the Inquisitors at Valladolid, whose dealings with them are exemplified in a case related by Llorente from the original records. On December 8th, 1528, one Catalina, a woman of bad character, delated Juan, a Morisco, seventy-one years of age, by trade a coppersmith, native of Segovia, and inhabitant of Benevente. She told the Inquisitors that, *eighteen years before*, she had lived in the same house with him, and seen that neither he nor his children ate pork or drank wine, and that on Saturday nights and Sunday mornings they used to wash their feet; which custom, as well as abstinence from pork and wine, was peculiar to the Moors. The Inquisitors summoned the old man into their presence, and questioned him, as usual, at three several interviews. All that he could tell them was, that he received baptism when forty-five years old; that never having eaten pork or drunk wine until that time, he had then no taste for either; and that, being coppersmiths, he and his sons found it necessary to wash themselves thoroughly once a week. After some other examinations, they sent him back to Benevente, with prohibition from going beyond three leagues' distance from the town; but two years afterwards the Inquisition determined that he should be threatened with torture, in order, of course, to obtain some information that might help them to criminate others. He was, accordingly, taken to Valladolid, and, in a subterranean chamber called "the dungeon of torment," stripped naked, and bound to the "ladder." This might have extorted something like confession; but the brave old man of

seventy-three told the Inquisitors, that whatever he might say when under torture would be merely extorted by the anguish, and therefore unworthy of belief; and that he would not, through fear of pain, confess what had never taken place. Having threatened, which was perhaps all they meant to do, they kept him in close prison until the next Act of Faith, when he walked among the penitents with a lighted candle in his hand, and, after he had seen others burnt to death, paid the Holy Office a fee of four ducats, and went home, not acquitted, but released.

At length Don Pedro Guerro, then Archbishop of Granada, having to go to the Council of Trent, laid the case of the still unsubdued Moriscoes before Paul III., who charged him to engage King Philip II. to take such measures as would prevent the perdition of those souls. The Inquisition was the favoured institution of the Spanish Nero; and as it could not act on its own unaided resources in the troubled kingdom of Granada, he convened a special assembly at Madrid, constituted similarly to that which we have mentioned in Granada, and fixed the term of three years for the Moriscoes to divest themselves of the Arabian dress, disuse the language, and renounce even the most innocent customs of their nation. Pedro de Deza, auditor of the Inquisition, went to Granada with the articles then enacted (A.D. 1566), and caused them to be proclaimed; but the proclamation produced little more than a remonstrance and an appeal to Philip, who had not common sense enough to give ear to the complaints of his subjects; and his refusal to hear them precipitated the final struggle.

Rebellion followed. A fierce warfare spread havoc over all the province. The Inquisitors assured the King that his only remedy was to extirpate the Moriscoes; and the last of their strongholds being taken, the remnant then scattered over the country was sentenced to expatriation. The armed bands of the Church military occupied all the kingdom of



Granada, now marked out into districts. Troops of licentious soldiery drove the weeping Moriscoes from their houses into the neighbouring churches, and thence carried them away, in such vehicles as could be found, to towns beyond the frontiers; and from those towns they were distributed all over the Spanish peninsula, and mingled with the general population. Thenceforth the hated race had no more any visible existence.

Valencia, being a city and province of the kingdom of Aragon, although included in the same decree of Ferdinand and Isabella, in 1502, for the expulsion of the Moors from their dominions, enjoyed a measure of constitutional rights by which the inhabitants could present a determined, although brief resistance. But the power of the Moors was gone. In the year 1523 a seditious faction forcibly baptised sixteen thousand of them, merely in order to deprive the noble proprietors of land of the revenue they received from them as Mohammedans, and at least an equal number emigrated to Africa, leaving five thousand houses uninhabited. From that time they had no strength in Aragon. Charles obtained a Bull to absolve him from an oath he had taken, in the Cortes of Zaragoza, not to interfere with their religion. In an ecclesiastical assembly at Madrid it was determined that the sixteen thousand forcibly baptised were really Christians, and therefore subject to the Holy Office. The Inquisitors were directed to convert the rest, and spared no pains in fulfilling the commission. Flight on the one hand, and a mockery of baptism on the other, emptied Valencia of the followers of Mohammed. Those who desperately betook themselves to the mountains were beaten into submission. The vacated mosques became mass-houses. A wholesale baptism was the sequel of each guerilla. Inquisitors waited in the cathedral of Valencia to give absolution, with remission of penance, to all who chose to accept it.

In the year 1526, a civil war having terminated in a pragmatic between the insurgents and the King, they were all baptised; and after wearing their old garb and speaking Arabic for a few years, these New Christians assumed a new dress, spoke in the language of the country, melted away, under the management of the Inquisition, into the general mass of Spaniards, and, without attaining any knowledge of their Saviour, utterly forgot the Prophet of Mecca.

I cannot relate—for there is not, so far as I know, any sufficient record extant—the particulars of the inquisitorial persecution; but it is certain that, closely leagued with the royal power, the Inquisition crowded the dungeons and fed the hearths. The Sovereigns did sometimes purchase Bulls at Rome to authorise mitigation of severities; but the Inquisitors set at nought the Bulls, and kept their fires burning; until, in the year 1609, their savage joy rose to its height on the expulsion from Spain of the very few Moriscoes that survived. The loss to the population by successive expulsions of Jews, Moors, and Moriscoes, in obedience to the Inquisition, is estimated at no fewer than three millions.

Having glanced over the brief story of the Moriscoes to its close, we must further note the case of the Moors and New Christians in Granada, and then resuming our narrative at the point from which we digressed, survey the progress of the Holy Office, and of inquisitorial legislation and practice in Spain, from the accession of the next Inquisitor-General until the time of its extinction.

## CHAPTER XI.

## SPAIN.

## FIRST GENERAL AUTO IN GRANADA.

By the letter of a treaty with the Spaniards, the Moors were promised their own laws, customs, and religion. No Moor, either man or woman, should be forced to become a Christian, and in the exercise of their rights no one was to molest them. The date of this treaty was 1492. The Catholic Kings swore to it. Their Chief Confessor advised them to break faith, which they professed themselves unwilling to do. The Pope released them from the obligation of their oath. The conquered people were instructed under authority in observances which they justly abhorred as idolatrous. They had been invited under authority—a kind of invitation which has the force of a command. Methods of conversion were resorted to which could not be more exactly characterised by any other words than bribery and intimidation. The very basest portion of Mohammedan society only yielded some return to those conscienceless labours at first, but the population of Granada was gradually divided between the names of Catholic and Moslem.

Accordingly, a field of action being made ready, the Emperor Charles V., with his unscrupulous reliance upon force, planted the Holy Office within the walls of the last city of the Moorish Kings. The first Auto de Fé was celebrated there in the year 1529, and the exultation of the Inquisitors breathes naturally in their own inflated narrative, which I translate from a book printed on the spot.\*

\* *Auto General de la Fé; Exaltacion de su estandarte católico, etc.*  
General Act of Faith. Exaltation of its Catholic standard. Triumph

"On the fifth day of December, 1526, the Emperor Don Carlos V. of glorious memory, for the High honour of this city of Granada, the unsullied fame of its religion, and most faithful security of its kingdom, translated this Tribunal hither from Jaen; the Tribunal whose holy activity began to diffuse the innate and generous antidote of its piety, the first act after its recent public translation being the edict of grace, in which it exhorted and commanded all the sons of the Church who might have apostatised from her religion, or by any error offended against the faith, to come within a strictly appointed time to be reconciled, and to abjure their errors; that the Holy Tribunal, the arm of its jurisdiction being clothed with clemency, might bestow indulgence from the penances which their offences merited; and his Imperial Majesty graciously allowed them the estates which, by right of confiscation, belonged to his Royal Treasury.

"But as all clemency is most times ill obeyed by malice, the most zealous tribunal, seeing the obstinacy of unbelief, without losing sight of the pacific leaves of its flourishing olive, which serve to moderate the punishment, if not to suspend it, armed the Apostolic arm, and laid bare the flaming steel which flashed in the severe execution of an ACT celebrated in the Place of Vivarrambla in the year 1529, being the first of forty-eight generations\* that by the year 1653 saw the public of that theatre, in which it would be more easy to distinguish the trees of a confused forest, than

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of its truth against sacrilegious superstition, heretical pravity, and infidel apostasy, over which the indulgent olive, the burning steel of the Holy Tribunal of the Inquisition of Granada, distilled pities, thundered chastisements. Monday, the thirteenth of May, day of the most august Spreader of the Christian Religion, of the most zealous Devastator of hostile unbelief, of the most vigilant Protector of the Holy Office, the ever glorious king Don Ferdinand the Holy. Printed in Granada in the Royal Press of Francisco Sanchez, opposite the Hospital of Corpus Christi, year of 1672.

\* . . . . generations. A generation, here, must be a successive company of victims brought out for punishment.

to count the particular Autos, or than to reckon up the number of criminals who have been put under penance, being for the most part strangers from their several countries, making innumerable the triumphs of the Holy Tribunal where they found the punishment from which they fled in foreign kingdoms, this multitude giving a breadth to the mighty power of its arm greater than the contagious corruption of its own district.

“The numerous and frequent continuance then, with which the Holy Office of Granada consecrated these solemnities to the faith in the chastisement of its enemies, and the unaccustomed calm of two years preceding since the last private Auto, which consisted of eighty-four cases, until the General Auto we are now going to relate, caused the people to pay little attention to this notice, and led them to talk lightly about it, guided only by vague conjecture, rather than by any certain evidence, and presuming to penetrate into the mysterious depth of that ever venerable, legal, and inscrutable secret.

“Through certain demonstrations in the neighbourhood suspicions began to multiply. While motives to suspicion multiplied, inferences from multitude, the multitude of criminals, too many to be contained in the secret prisons, which overflowed into the houses of servants of the Inquisition; the increased number of Secretaries of the Secret; the increasing business going on in private, in which, during a year or more there were months without leisure for a single day, days without respite for a single hour, hours without relief for even a few moments; and, above all, that the Inquisitors of this Holy Tribunal, the Doctor Don Juan Marin de Redezno, Canon of the Holy Church of Toledo, Abbot of St. Gil of Logroño, and Collegial of the Great Church of Cuenca of Salamanca; the Licentiate Don Baltasar de Loaste y Heredia, as well as Collegial of the famous and greater College of Cuenca; the Doctor Don Pedro de Herrera y Soto, Archdean of

Ecija, Dignity and Canon of the Holy Church of Seville, Collegial of the greater College of Santa Cruz of Valladolid, Professor of the Institute, and Rector of his University; Fiscal Señor Licentiate Don Juan Bautista Arzamendi, Collegial also of the great Church of Santa Cruz of Valladolid, Canon Doctoral of Ciudad Rodrigo, Governor of his Bishopric, and Vicar-General of the Army, whose zeal was always active, and vigilance constantly awake,—there were indications of some extremely pressing business, as that business must be which would engage the full attention of so many great ministers. All seemed to promise that some great light would soon break forth to disclose what was hidden by so dense a cloud. Surely the hands of such mighty men must be holding fast the clue to some vast labyrinth.

“Monday, the 2nd of May, began to dispel doubt with the first announcements of certainty, for on this day Don Juan Bautista Arzamendi was conducted with a splendid train of coaches and servants from the palace of the Holy Inquisition to the Royal Chancery, where the nobility of all the city were assembled at the gates, anxiously waiting to render the usual expressions of affection and devotion wherewith they applaud even the earliest indications of the venerable action of the Holy Tribunal. Thence, attended by so authoritative and numerous a concourse, the Lord Fiscal went up to the hall, where the Royal Acuerdo were. Having given them notice that the Holy Tribunal of the Inquisition had determined to celebrate a General Act of Faith, he invited them in its name to illustrate the authority of the Act by their attendance on the day appointed for the purpose. The Acuerdo heard this announcement of the triumph of our religion with the joyousness of welcome which becomes the most faithful zeal of such grave and illustrious individuals as they are who now immediately represent that most august king whom the Universal Church acclaims with the title of Catholic, and whom the utmost bounds of the world respect.

"Notice and invitation being given, and the Royal Acuerdo having replied that they would fulfil their duty, the Fiscal returned, attended by the illustrious multitude of courtiers, as far as the thresholds of the Royal Chancery, whence, with the same attendance, he proceeded to the residence of the Archbishop, where he found awaiting his arrival the most illustrious Lord Don Diego Escolano y Ledesma, Archbishop of Granada, whom he informed and invited in the same manner, and after being answered by that most worthy prelate with equal demonstrations of esteem and joy, returned to the palace of the Holy Tribunal, making his way through crowds that overwhelmed him with cheers.

"On the following day, Tuesday, May the third, day of the finding of that most holy Wood, Sepulchre of the Jewish Synagogue, Nest of the Catholic Church, eternal Volume, on whose ever verdant leaves the Sovereign King of Glory, leaving the written law cancelled, wrote in purpurean characters the law of grace—on this day, then, many times made famous with the solemn publication of the Auto, at four o'clock in the afternoon, the pomp of that most desired ceremonial began to issue from the palace of the Holy Tribunal. The voice which the public heard break the sacred silence of that place was the varied sound of trumpets and fifes. The officers of the Holy Office came with rods, —about eighty ministers, being familiars, notaries and commissaries, riding on fine horses, whose trappings, decorations, and ornaments outvied the colours of May, and outshone the brilliance of the day. The concerted union of this accompaniment, for number great, and great for dignity of rank, was closed by Don Rodrigo Velazquez de Carvajal, Knight of the Order of St. James, and Alguazil Major of the Holy Office,\* whose ornaments, liveries, and other generous

\* The *alguazil mayor* is chief executioner. At the sight of this officer, if the narrator tells the truth, there was a grand outburst of general applause, which put to silence and confusion the rigid

ostentations were becoming the decorum of his person, and the grandeur of so sumptuous an occasion, while the voices of general applause put to silence, and confounded the rigid scruples of the censorious. Don Joseph de Alarcon, Secretary of the Secret, was at his side, and with most urbane gravity, and brilliant adorning, sustained the propriety of his office, and the obligation of so great a day.

"In this form was the grandeur of the procession displayed to the people, as it passed through the most public street of the city ; and in the New Square, opposite the Royal Chancery, this first proclamation was made:—

" 'Be it known to all the inhabitants, residents, and dwellers in this city of Granada, how that the Lords Inquisitors Apostolic of the city, and its district, have determined to celebrate a public Act of Faith, in honour and reverence of Jesus Christ our Lord, for exaltation of the Holy Catholic Faith and Evangelical Law, and extirpation of heresies, on the Monday counted thirtieth of May of this present year, —day of the Glorious King Don Ferdinand the Holy ; and that the graces and indulgences granted by the Supreme Pontiff are conceded to all who shall be present and serve at the said Act.'

"The most pious population of Granada heard this publication with breathless attention, welcomed it with catholic demonstrations of ardent religion, and their eyes being covered with liquid sparkles of faithful tenderness, came out to receive reverently with heart and ear the clauses of the proclamation.

"The second proclamation was made in the Plazuela of the Lonja, at the gates of the Ayuntamiento of this city, and was repeated the third time in the Square of Vivarrambla, before the balconies of the

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scruples of censorious persons who had ventured to disapprove such horrid spectacles as the one now to be exhibited. They entered into the spirit of an *auto* as if it were a bull-fight.



Archbishop's Palace. But the day, whether embarrassed with so much applause, or envious of so great brilliance, in the midst of this station burst into a sudden storm of rain and thunder, that with an incessant flood tried either to drown or to disperse the union, and cut short the pomp of this famous assemblage, which, finding another fresh gala in contempt of the accident, with constant equanimity and heedless disdain, made out of this disturbance a walk of pleasure to reach by a yet wider circuit the Palace of the Lord Inquisitor, Don Pedro de Herrera y Soto, where the other Lords Inquisitors, and the Fiscal, were waiting to enjoy once more the sight of such an honourable company whose members came the second time,—brought under the new canopy wherewith the spiteful tempest covered them,—came burning amidst the deluge of water to the houses of the Holy Office, without having suffered discolour or disorder, steadily returning by its concerted way until the end of the ceremonial, while the tempest only improved what it had tried to spoil.

“Next day the Secretary of the Tribunal went to the Chapter of the Cathedral to give notice of the Auto—time and place—and invite them to take part therein. The Dean of the Holy Church of Granada, as head of the Chapter, responded, displaying, in the fervour of his gratitude, the high degrees of estimation with which the Chapter welcomed the favour of so great a notice, and showed by the earnestness of their demonstrations, the joy with which they expected so famous a day of the Faith, promising that the venerable Chapter would attend at an Act so entirely within the sphere of its sacred duty; with which answer the Secretary left, attended with the courteous ceremony with which that illustrious Chapter is accustomed to acknowledge the importance of such notices.”

The Secretary then proceeded to deliver the same notice to other bodies, ecclesiastical and civil.

"At the dawn of the hoped-for Monday, thirtieth of May, Day of the August Ferdinand the third of Castilla and Leon: of that famous monarch whose glorious name the memory of ages has celebrated for an example to Catholic princes,—of that holy King to whom the solid lights which formed the gold of his crown, the heat of his piety and religion, without leaving his brow, were changed into a circlet of eternal splendours, in whose diadem they again recovered the purer ways of their bright beginning, of that most religious bulwark of the Faith, whose royal majesty, on an occasion like that which we now relate, did not disdain to appear as a servant of the Holy Inquisition, oppressing his sacred and royal shoulder with the fire-wood which, almost kindled with his burning zeal, might become even where it was, matter for the capital punishment of a perfidious Albigenese, it being the superior skill of this Holy Tribunal, in its election of a day, to associate the most celebrated triumph of the Faith with the venerable solemnity of that invincible soldier who knew so well how to magnify it, and the most profound mystery of Providence that the day whereon the Holy King began his annual worship in this kingdom should be occupied with the sumptuous celebration of a public act, in whose natural concord, the same praises being offered up at the same altars, at the same time inseparably, Religion should be exalted, and the Holy King venerated, because, without faith, words of acclamation cannot articulate the name of Ferdinand."

I pass without any notice a minute account of the procession of that day, as one very similar will be fully described in another chapter, but give a summary of the penitents as they are classified in the book before me.

A heretical <i>alumbrado</i> . (Blasphemous hypocrite)	1
A forger of passports in the name of the Inquisition	1

Three men, each of whom had married two women .....	3
Three witches .....	3
New Christians. Jews baptized, but still Jews at heart .....	33
New Christians. Jewesses of the same stamp ...	22
Mohammedans .....	2
Effigies of fugitive Judaizers .....	7
Effigies of women of the same sort.....	10
Effigy of a Mohammedan .....	1
Jews given over to death.....	6
In all.....	89

Three of the Jews condemned to the fire were men, and three women. Five of the six were hanged, having professed conversion to Christianity at the last moment, shrinking in terror from the flames. No one believed that they were really converted, but many persons of all sorts imagined that by consenting to what was understood to be no more than a ceremony merely to obtain a mitigation of the punishment was not sin. Even Christians have made this concession, and persuaded themselves that they might in words renounce what they believed to be the truth, and yet not deny Christ. But there was one man in this party of Jews whose conscience would not yield to what he rightly regarded as a criminal equivocation. This Jew, Rafael Gomez, preferred the fire, and of him the chronicler writes these words:—"Thus died that infinitely miserable Hebrew, and, giving his being to the ashes, delivered his unhappy name to the mute horror of time, and his sacrilegious memory to the eternal night of oblivion."

So let this chapter close. I have stood aside, and left the Inquisitor to speak in his own way. He cares much for the high ecclesiastics whose names and offices he tediously recites, but lets us not see the least sign of consideration for the poor Jews and Jewesses who are to be shut up in perpetual imprisonment and endure a living death, nor for those who were solemnly murdered by halter and consumed by fire on St. Fer-

dinand's day. But he flares in laborious bombast over a spectacle in the once royal city of Granada, which drew tears from the multitudes who heard the first flourish of trumpets sound the alarum of death—tears of pity and of anguish, which to his hardened nature were beautiful as liquid jewels.

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## CHAPTER XII.

## SPAIN.

## DEZA AND XIMENEZ INQUISITORS.

DON Diego de Deza, a Dominican, a Bishop, a professor of theology in the University of Salamanca, tutor of the Infante of Spain, and Confessor of the "Catholic Kings" Ferdinand and Isabella, deserved also the superior dignity of Inquisitor-General of Castile. He understood the theology and canons of his church, and he knew the minds of his masters. He was, therefore, considered a trusty man for such services, and in the last year of the fifteenth century a Bull of Alexander VI. invested him with the conservancy of the faith in Spain.

His first notable efforts, after appointment to this office, were directed against a few Jews who, longing after their native country, Spain, notwithstanding all that they and their brethren had suffered there, ventured to return thither a very few years after the great expulsion. The new Inquisitor-General, hastening to drive them out again, obtained a royal edict to that effect, dated 5th September, 1499. Some Jews, it is said, had presumed to come into those kingdoms, pretending that they were not the persons banished, but were come from foreign states, and on being arrested, professed a desire to become Christians. All and each of the justices of Castilla and Leon were therefore ordered, in case that any Jews or Jewesses entered the kingdoms, whoever they might be, to inflict on them the punishment of death, confiscation of their property, and every other penalty contained in the law aforesaid. "Fail not," the Edict continued, "to

execute it, even though such Jews declare that they desire to become Christians, unless, previous to entering our kingdoms, they send to you, and manifest and make known to you that they come to turn Christians, and be converted to our holy Catholic Faith, and also execute a deed in presence of a notary and witnesses, to that effect, at the first town they enter. Such persons, on publicly becoming Christians at the place where they arrive, we permit, in conformity with the above, to reside in our kingdoms as Christians, but if any one of them has Jew-servants, they must send them out of the kingdom within two months, or at the expiration of that time the servants must become Christians. Failing so to do, they will incur the afore-said penalties and punishments."

Some Jews entered Spain on condition of professing Christianity, and put on the disguise of devoutest Romanism. But they secretly observed Jewish rites, and even assembled for Jewish worship. A private Synagogue was discovered in Valencia in 1501. The owner of the premises was burnt at an Auto; the house was razed to the ground, and the Inquisition built a chapel on the site which is yet known by the name of *La Cruz Nueva*—THE NEW CROSS.\* This incident invites to future investigation, and throws light on much that often seemed incredible, when we heard of traces of Judaism in Spain, even in our own day, but hardly believed that Jews could be found there after the searching fires of a persecution that raged during three or four hundred years.

Being with the court in Seville, Deza pursued his work by decreeing a Constitution, in seven articles (June 17th, 1500), which ordained,—

1. That there should be a general inquest made in every place that had not yet been so visited.
2. That the edict requiring all persons to lay informations should be again proclaimed.

\* LINDO. *History of the Jews in Spain and Portugal*, chap. xxvi. Mr. Lindo quotes from good authorities.

3. That the subaltern Inquisitors should search their books, and prosecute all persons noted therein.

4. That no one should be troubled on account of such trifles as blasphemy, which denoted ill-temper, but not heresy.

5. That in cases of canonical compurgation two witnesses should be sworn as responsible for the orthodoxy of each person compurgated.

6. That every one who abjured after vehement suspicion should promise to have no more intercourse with heretics, but to delate them.

7. That those who abjured after formal conviction of heresy should do the same.

The solemnity of this beginning gave reason to believe that the new Inquisitor meant to be in earnest. His labours to extend the regulations of the Spanish tribunal to Sicily and Naples we shall notice when we come to speak of Italy. It was he who instigated Charles I. of Spain to break his oath with the Cortes of Aragon; and we have already seen how the Moors and Moriscos suffered under his administration. In order to illustrate the character of this administration, we may note the persecution of the first archbishop of Granada, and the crusade on the inhabitants of Cordova.

The Archbishop, Hernando de Talavera, when the Italian Inquisitor proposed to revive the Inquisition in Spain, was the Queen's confessor, and advised her Highness to resist the proposal, and endeavour to subdue Judaism by Christian instruction. It was known that, by the channel of his maternal ancestry, he had a slight infusion of Jewish blood. When appointed to the new see of Granada, he won the respect of the Moorish population; and the reader may remember how, afterwards, when the city was insurgent against the tyranny of Ximenez, good Fray Hernando quelled the insurrection by his presence and exhortations, which appeased the fury of the multitude. It was he who caused the Bible to be

translated into Arabic, and even dared to argue with Ximenez for making the sacred volume intelligible to the people. He could control the whole body of the citizens by moral influence; whereas the Inquisition, possessing no such power, had but the single idea of smothering remonstrances by force, and extirpating all whom they could not compel into entire submission to the Church. Deza hated the principles of Ximenez, and Ximenez was jealous of the influence of Deza. Deza, as Inquisitor-General, called on Ximenez to take information concerning the doubted purity of the religion of Hernando, while associated with him in endeavouring to convert Granada. Ximenez, not yet brought over to the policy of the Inquisition, although actuated by its spirit, wrote to the Pope, Julius II., whom he desired to take the case in hand, lest the archiepiscopal dignity should suffer by the Primate of Spain acting as familiar upon the metropolitan of a province. The Pope commanded his Nuncio to inhibit the Inquisitors from further action, but to send him the reports which they had taken of the religious character of Hernando. The Pontiff assembled several cardinals and prelates to hear those reports read, and, with their concurrence, absolved the suspected Archbishop; but not until he had suffered three years of anxiety and reproach, and seen many of his relatives arrested and imprisoned by the Inquisitor Lucero. And notwithstanding this acquittal, his name figures in the Spanish Index, of which a copy now lies before me, with the written rubric of Don Joaquin Castellet, Revisor-General of the Council, in 1789.\*

This Lucero, whom some called *Tenebrero*,—an agent of darkness, rather than a bearer of light,—presided over the Holy Office in Cordova. No sooner was he installed in that position, than he made a general attack on the most respectable inhabitants of the city, whom he arrested, examined, set down as im-

\* Talavera (Lic. Fr. Hernando de), *Impugnac. Catholica del heretico Libello*.



perfect confessors, and condemned as false penitents. Some of them, in terror, added to their confessions statements utterly at variance with the truth. Informers crowded Lucero's chamber, bringing monstrous tales of a grand conspiracy of monks, nuns, and other persons, whom they represented as traversing the country, and holding private meetings to establish Judaism, and pull down the Church. Lucero received them gladly. His notaries took down the fables. Familiars dragged from their beds persons who had never so much as thought of such an enterprise. The prisons overflowed, and the enraged inhabitants of Cordova would have demolished the whole establishment at a stroke, if the Municipal Council, the Bishop, the Chapter, and the nobility had not restrained them, and appealed to Deza, as Inquisitor-General, praying for the removal of Lucero. But Deza turned furiously on the complainants, and by name pronounced a long train of nobles, monks, nuns, canons, and men of civil authority, abettors of Judaism.

At this juncture Philip I. assumed the government of Castile; and the Bishop, with a multitude of persons whose relatives were in dungeons, implored him to transfer their cause to some other court. Philip heard their petition, suspended both Deza and Lucero from the exercise of their functions, and directed that the case should be submitted to the Supreme Council of Castile; but, like many other princes, when brought into conflict with priests, he died before his order could be obeyed. For Deza the king's death was opportune; and, during an interregnum, he vaulted again into his inquisitorial throne, and renewed the assault on Cordova.

The Marquis of Priego, who had formerly sought redress by petition without effect, now resolved to take it by force. He headed a strong body of Cordovese, broke open the house of the Inquisition (October 6th, 1506), liberated many prisoners, and imprisoned several officers of the establishment in

their stead, but missed Lucero, who had betaken himself to timely flight on the back of a swift mule. Deza, not more brave than his brother, resigned the office of Inquisitor-General; and the people of Cordova, satisfied with that deliverance, returned to tranquillity.

No class of persons had escaped the persecution of this Deza. Antonio de Lebrija, one of the few learned men who shone as lights amidst the thick darkness of that age, suffered a vexatious interruption of his studies, which were purely literary and biblical. He describes the intellectual bondage endured under the reign of Deza in the following impassioned sentences:—"Is it not enough to yield up my understanding to Christ when religion so requires? Must I also be compelled to deny what I have learned on points that are clear to me, evident, notorious, manifest, more brilliant than the light of day, and true as truth itself? Must it be thus with me, when I affirm, on serious conviction, not uttering opinion or conjecture, but bringing proof with invincible reasons, irrefragable arguments, and mathematical demonstrations? O, misery! Alas! what slavery is this! What iniquitous domination is this, that, by dint of violence, prevents one from speaking as he feels, even without interfering with religion in the least! But what is it not to *speak*? It is not even permitted for one to *write*, when he is alone, within four walls. It is not even permitted to investigate the true sense of any thing, if he happens to suffer a whisper to escape him. It is not permitted to *reflect*; no, not even in intention. Then what may we think of, if it be not lawful to spend our thoughts on those books which contain the Christian religion? Did not the Psalmist say that such is the occupation of the righteous man? 'His delight,' he says, 'is in the law of the Lord, and in His law doth he meditate day and night.' " \*

\* *Bibliotheca Hispanica, A., art. Antonius.*

This forcibly recalls a sentence that was addressed to myself near forty years ago by the Padre de la Canal, one of the most accomplished scholars and historians of Spain, when in conversation with him in his richly-furnished library in the Augustinian monastery in Madrid: "*The Inquisition has ruined Spain.*" And Spain must be delivered from its present governors, colonized, peopled anew, and made Christian, before monuments of ruin, more general and more difficult to put out of sight than the vestiges of Roman, Goth, or Saracen, will disappear from the social condition of that fine people.

Llorente calculates the victims of Deza thus:—

Burnt alive .....	2,592
Burnt in effigy.....	896
Ruined in penance ..	34,952
	<hr/>
Total.. .....	38,440
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The distribution of these numbers is acknowledged to be conjectural, and the entire calculation involved in that of the time of Torquemada; but the aggregates are gathered by our author from sources of indisputable authenticity, and the proportions are suggested by his own experience and profound historical information.

Brute ferocity could not always revel with impunity. The insurrection of Cordova, and the steady resistance of the kingdom of Aragon, taught the heads of Popedom and of Spain, that the Inquisition would fail, unless its affairs were conducted with caution as well as vigour. In this exigency Ferdinand V., King-Governor of Spain, nominated Francisco Ximenez de Cisneros, Archbishop of Toledo, to be Inquisitor-General of Castile, and raised Juan Engueza, Bishop of Vique, to the corresponding dignity in Aragon. The Pope confirmed the nominations; and the Bull to Ximenez came addressed to him as Cardinal, the Consistory having awarded him the

purple as a recompense for past services, and an incentive to zeal for the future. He had to contend not only with the men of Cordova, but with a strongly-pronounced disaffection in every quarter of the kingdom; and therefore he bespoke forbearance by encouraging an enquiry into the conduct of his fallen predecessor. Several persons had approached "the thresholds of the apostles," complaining that relatives had been imprisoned without cause, or that their houses had been wantonly razed to the ground, after false rumours that they had been used for synagogues. The Pope had appointed delegates to investigate those cases, and now empowered Ximenez to take cognizance of the whole affair. Entering on the matter with extreme caution, he formed, in conjunction with the King, a "Catholic Congregation," or special Court of Inquiry, chiefly consisting of Inquisitors; and, after due deliberation, pronounced a sentence of acquittal in favour of the sufferers, restored the names and memory of the dead to honour and fame, rebuilt the ruined houses, and ordered all records tending to prejudice the living to be cancelled. The sentence was published at Valladolid, with great solemnity and rejoicing, in presence of King, grandees, and prelates; but Lucero, the chief criminal, the man who had wasted so much life and ruined so many families, was liberated from prison, and sent unpunished, to live at Almeria and enjoy the dignity and revenue of *maestrescuela*, or "teacher of the clergy," in the cathedral there. No penalty was inflicted on him or on Deza.

While only a looker-on, Ximenez had favoured the prevailing wish for a reformation of the Inquisition; but no sooner did he find himself intrusted with its control, than he resolved to make the most of it as an engine of government, and led the way for that political application of its agencies which at last became so general and so effective. He resisted the very proposals which he had formerly encouraged,

and had even proffered to Charles of Austria, afterwards Charles V., Emperor. He directed all his energies to the confirmation and extension of the institution, without any abatement of even the least of its enormities. He divided the realm of Castile into ten inquisitorial provinces, placing an Inquisitor at the head of each: in Sevilla, Jaen, Toledo, Estremadura, Murcia, Valladolid, Mayorca, Pampelona, Sardinia, Sicily.

It was by means of his influence and management that Ferdinand V. received the crown of Spain. He therefore enjoyed the king's unbounded confidence and favour. He was Cardinal of Spain, a title rarely conferred, and, under Ferdinand, Governor of all his dominions. As Archbishop of Toledo, he was head of the clergy; as Inquisitor-General of Castile, he was the terror of every priest and of every layman within the bounds of his jurisdiction. So now, having improved the organization of the Holy Office, he proposed to extirpate those enemies of the Church who occupied the small state of Oran on the coast of Africa, where every refugee from Spain, every fugitive from the Inquisition, had hitherto found shelter. At the head of fourteen thousand men, fitted out and paid from his own purse, he embarked for Africa in February, 1509, and soon achieved the conquest. During his absence, Ferdinand curtailed for a time the power of the Popes over the Inquisition, by forbidding the reception of Briefs or Bulls concerning it, without his *regium placet*, or permission.

When presiding over the Cortes of Aragon, in 1510, Ferdinand heard bitter complaints against the Inquisitors in that kingdom. The representatives of the cities and towns declared that those men not only made inquest concerning faith, but usurped civil authority; that they threw persons into their dungeons for civil offences; that they multiplied familiars, all of whom were exempted from paying taxes, until the country was brought to the verge of ruin; and that

they made themselves insufferable by meddling, under pretext of religion or of privilege, in every court. Whoever attempted to resist those usurpations, whether he were viceroy, captain-general, or grandee, was instantly subjected to insult, and even to excommunication. They therefore prayed the King to keep the Inquisitors within their proper bounds, and cause the laws and rights of Aragon to be respected. The King hesitated, promised, equivocated and delayed; but, after two years' reluctance, was compelled to yield, in part, to their demands.

Yet, after solemnly binding himself by oath, in open Cortes, to enforce the Concordat between the Inquisition and the kingdom, he was soon induced to apply to Rome for a consecration of perfidy, and obtained from Pope Leo X. a dispensation from the oath.

After his African campaign, Ximenez resumed the management of the Inquisition, which had been conducted by a substitute during his absence, and gave clearest evidence that, amidst the cares of state, he had no care for the kingdom of our Lord Jesus Christ. A clever female impostor, known as "the devotee of Piedrahita," filled Spain with wonder, by professing to be favoured with a constant vision of the Saviour and of the Holy Virgin, and uttering blasphemies that the pen refuses to repeat. Ximenez sent for her to Court. He and the King conversed with her. The Inquisitors noted her sayings, and admired her miracles. The Pope and his Nuncio acknowledged that they dreaded scandal; but the Inquisition pronounced her blessed. Scandal there was, indeed, but it came from another quarter. It was known that the Inquisitors were accustomed to dishonour the females whom they caused to be brought into the "holy houses;" and Ximenez, with due ostentation, decreed that all convicted of that crime should be put to death; but none died, because none were convicted. Neither could any be convicted, for none were prosecuted. Neither did the abomination cease.

The New Christians, on whom the severest persecution fell, offered Ferdinand six hundred thousand ducats of gold, if he would protect them from the horrible Secret of the tribunal, and allow the names of witnesses to be published; and they very nearly succeeded in obtaining the object of their prayer. But Ximenez, with his wonted magnificence, or, perhaps, with his usual calculation of ultimate advantage, laid down if not an equal sum, at least sufficient money to induce the King to reject their overture, and to maintain the Secret. To accept even six hundred thousand ducats, once for all, instead of a constant and unlimited exaction, would have been a loss to the Inquisitors; but as for the cash paid by Ximenez, it is not to be supposed that it came out of his own purse. It is also noted, that while so very indulgent to a wretched woman who brought derision on the name of the adorable Redeemer, he had no indulgence to bestow upon a penitent; and, resolving that no penitent should thenceforth be spared a blush, he despoiled all the provincial Inquisitors of their accustomed privilege of diminishing the more ignominious part of public penance, by forbidding them to allow the shameful *sambenito* to be laid aside.

Meanwhile, the kingdoms of Castile and Aragon were struggling against both royal and ecclesiastical authorities. Ferdinand, although Leo X. sanctioned his perfidy, saw that if he persisted in violating his engagement with the Cortes of Monzon, all Aragon would be up in arms; and therefore prayed the Pope to recall his obnoxious Bull, and restore its right of jurisdiction to the civil power. Also in the same year, 1515, the Cortes of Toledo, in Castile, extorted a similar concession, and forced the King to confine the Inquisitors within their province, and restrain them from interfering with the business of secular judges.

Ximenez bowed, perforce, before the representatives of the nation, but quietly pursued his course of advance

in interior discipline ; and not only placed Inquisitors, with their establishments, in Cuenca, but set up the Office in the newly-conquered territory of Oran. Having thus extended its operations to Africa, he sent it across the Atlantic, to awe the converts of the New World into submission to the "righteousness and mercy" of his Church. Ferdinand V. commanded the Holy Tribunal to be erected in the kingdom of Terra Firma ; and (A.D. 1516) the Cardinal named Juan Quevedo, Bishop of Cuba, as first Inquisitor in those regions. But this belongs to a following chapter.

Unlike other powers, which usually begin by conciliating the confidence of their subjects, the Inquisition was generally careful to make a first impression of terror. In the new district of Cuenca, one of their first acts was to proceed against the memory and estate of Juan Henriquez de Medina, saying, that although he died in peace with the Church, having received the sacraments of confession, eucharist, and extreme unction, he was, in reality, an impenitent heretic, and only a pretended Christian. They declared him infamous, commanded his remains to be exhumed and burnt, his effigy to be exhibited at the same time, covered with a *sambenito*, and his property confiscated. The heirs of Medina appealed to Ximenez, who appointed commissioners to examine the case ; but the commissioners proceeded in entire agreement with the Inquisitors themselves. The aggrieved family appealed again, from Ximenez to the Pope, who commanded the commissioners to exercise impartiality ; and this induced them to give sentence in favour of the deceased.

A similar case occurred at Burgos, where a dead man was arraigned, absolved, and then accused of heresy again. Such was their absurd barbarity. The family appealed to Leo X., on behalf of the deceased Juan de Covarrubias, whom Leo recognised as a friend of his youth ; and the more earnestly, on that



account, interposed his authority to quash a project of spoliation and infamy. But the Cardinal of Spain, now also Regent of Castile, after the death of Ferdinand, elate with power, resisted the Pope, rallied the inquisitorial host into revolt against their Supreme Pastor, and was in the height of the quarrel when death silenced him. But disgrace came first. The new King of Spain, Charles I., \* had commanded him to retire to his archbishopric; and there, at war with the world, and scarcely in agreement with the Church, he expired, eighty years of age, on November 8th, 1517. His victims were:—

Burnt at the stake .....	3,564
Burnt in effigy.....	1,232
Penitents .....	48,059
<b>Total.....</b>	<b>52,855</b>

—nearly fifty-three thousand witnesses, whose testimony would tell heavily against the eulogies echoed by credulous reciters of the praises lavished by his own partisans on that *learned, liberal, munificent Cardinal Ximenez de Cisneros*.

\* Charles I. as King of Spain; Charles V. as Emperor of Germany.

## CHAPTER XIII.

## SPAIN.

## KINGS CHARLES I. AND PHILIP II.

HAVING traced the history of the modern Inquisition in Spain under the government of four Inquisitors-General, we will briefly note its condition during the reign of Charles I., under the administration of the Cardinals Adriano, Tabera, and Loaisa, who successively presided, and the former part of the reign of Philip II., with the Archbishop Valdés.

Charles did not come into Spain until two years after the death of his grandfather Ferdinand. He was a German by birth, education, and language. His education chiefly consisted in historical reading, by which he had learned the evil of Papal interference with the rights of kings, and felt himself resolved to abolish the Inquisition in his new kingdom, or, at least, to change its character. Some universities and colleges, both in the Netherlands and Spain, had given sentences confirmatory of his own opinion; and, in the fervour of youthful purpose,—for he was only eighteen years of age,—he meant to confer this benefit on Spain.

After a magnificent entry into Valladolid, he there met the Cortes of Castile, (February, 1518,) who laid a petition before him, containing this prayer:—"We supplicate your Highness to command provision to be made, that in the office of the Holy Inquisition the proceedings be so conducted that entire justice be observed; that the wicked be punished, and that good men, being innocent, suffer not; that they observe the sacred canons *and the common right*, which

“speak on this point; and that judges appointed to this end be generous,”—noble by descent,—“of good character and conscience, and of the age which the law requires, such persons as may be expected to do justice; and that the ordinaries be righteous judges.”\* The King answered this petition by a pragmatic sanction, or decree, to have the force of law till the next Cortes; but the King’s chancellor died just then, and the pragmatic was never published.

From Valladolid Charles went to Zaragoza, where he met the deputies of Aragon, and swore to maintain the rights and laws of their kingdom, wherein were included restrictions on the Holy Office. But by this time the Inquisitor-General, Adriano, had gained the young King’s ear, and, by propounding reasons of State, soon converted him into an ardent patron of the very institution he had intended to destroy. The Cortes of Aragon met a second time, (close of 1518,) represented to His Highness that the existing restraints on inquisitorial power were insufficient, and prayed for the addition of articles like those promised to Castile. He replied that they must confine their requests within the limits of the Sacred Canons and Pontifical Decrees, attempting nothing against the Inquisition; that if they had any complaint to make against an Inquisitor, they must carry it to the Inquisitor-General; and that, in case of doubt, it must remain with the Pope to arbitrate.

A similar discussion arose between the King and the Cortes of the principality of Catalonia in 1519, and closed with as little satisfaction.

The Inquisitors, emboldened by the young King’s adherence, revenged themselves by seizing the Secretary of the Cortes at Zaragoza, and throwing him into prison as a heretic. But this outrage provoked the Aragonese to refuse a grant which they had agreed to give the King, on the understanding that he

\* Llorente, xi. 1, gives the press-mark, D 153, of his manuscript authority in the Royal Library, Madrid.

would redress their grievances; and His Highness, after making a slight concession, merely to secure the money, prosecuted the cause of the Inquisition with the utmost zeal.

The Inquisitors, for their part, defied the public, and carried on their cruelties with the greater ostentation. Reserving for future chapters some details of their accustomed cruelties, I mention but one example now.

A physician, Juan de Salas, was accused of having used a profane expression, twelve months before, in the heat of a dispute. He denied the charge, and brought several witnesses in support of the denial. But the Inquisitor Moriz, at Valladolid, where the information was laid, caused De Salas to be brought again into his presence in the torment-chamber, stripped to his shirt, and laid on the *ladder* or *donkey*, an instrument resembling a wooden trough, just large enough to receive the body, with no bottom, but having a bar, or bars, so placed that the body bent by its own weight into an exquisitely painful position. The poor man, so laid, was bound round the arms and legs with hempen cords, each of them encircling the limb eleven times. During this part of the operation they admonished him to confess the blasphemy; but he only answered that he had never spoken a sentence of such a kind, and then, resigning himself to suffer, repeated the Athanasian Creed, and prayed "to God and Our Lady many times." Being still bound, they raised his head, covered his face with a piece of fine linen, and, forcing open the mouth, caused water to drip into it from an earthen jar, slightly perforated at the bottom, producing, in addition to his sufferings from distension, a horrid sensation of choking. But again, when they removed the jar for a moment, he declared that he had never uttered such a sentence: and this was repeated often. They then pulled the cords on his right leg, cutting into the flesh, replaced the linen on his face, dropped the water as before, and

tightened the cords on his right leg the second time; but still he maintained that he had never spoken such a thing; and, in answer to the questions of his tormentors, still constantly reiterated that he had never spoken such a thing. Moriz then pronounced that the torture should be regarded as begun, but not finished; and De Salas was released, to live, if he could survive, in the incessant apprehension that, if he gave the least umbrage to a familiar or to an informer, he would be carried again into the same chamber, and racked in every limb.

This was one case out of thousands. Tortures and deaths were of every-day occurrence. Popular dissatisfaction, not only represented in Cortes but showing itself in tumults, threatened civil war, and gave rise to disputes between the King and the Pope, which rose to such a height that (A.D. 1535) Charles withdrew his sanction from the acts of the tribunal, and the Spanish Inquisition suffered a humiliation of ten years. It was a humiliation, however, and nothing more. The Inquisition was not suspended, as some have supposed, during that time; for although without royal sanction, the Inquisitors persevered as quietly and stubbornly as possible.

Among other proofs of their diligence was the incarceration of Ignatius of Loyola, at Salamanca. After being haunted with suspicion of heresy and imposture from place to place, Ignatius found his way to Salamanca, where he proposed to spend some time in study. Spaniards were aroused at that time by intelligence of the Reformation in Germany, and their desire for religious knowledge was in some degree satisfied by the zeal of some of their own devoted countrymen. The singular devoutness of Ignatius, not without some eccentricity of manners, and, perhaps, of language also, alarmed the Sub-Prior of the Dominicans, who mistook for a Lutheran the future General-in-Chief of the new army in actual formation for the destruction of Lutheranism.

The consequence of this amusing misapprehension was the capture of Ignatius, and a companion of his, Callistus. In an instant, as it were, these two found themselves in a cell dark and dirty, inseparably held together by a double chain which connected the head of Ignatius with a foot of Callistus, and the head of Callistus with a foot of Ignatius. Other prisoners were brought into the same prison, suspected of correspondence or complicity with these mysterious Lutherans. All were detained there until "learned men" had examined the yet unpublished Book of Spiritual Exercises, written by the hand of Ignatius. What they thought of the novel production is not exactly known, but they soon found that it contained nothing that "smelt of Lutheranism, or heresy of any sort, but quite the contrary." Still, Inquisitorial jealousy could not be satisfied that there might not be some subtle deceitfulness lurking under those elaborate meditations. Ignatius was then subjected to a very searching examination concerning religion, and, after answering to their reluctant satisfaction some very subtle interrogations, left not even the lightest suspicion on their mind that had a taint of anything contrary to Roman Faith. Still, he might be unsound in his views of discipline, and was made to undergo much questioning concerning the prerogatives of the Pope. On this point he was blameless. Confessedly he was as thorough a Papist as his examiners, and was probably felt to be intellectually superior to them all. So they released him and his companion from their twin-like captivity. Then the two departed, and the choice guardians and champions of the faith, after so comfortless an intercourse, felt mutually glad to dwell apart for the time. From Salamanca the two suspected strangers hastened to Paris, and there the Inquisitor Ori made them pass through the ordeal of examination a second time. Ori was not satisfied so well.\* Perhaps the real offence of Ignatius

\* ORLANDINI, *Hist. Soc. Jesus*, A.D. 1527, p. 13.

was, that he would convert heretics by softer methods of his own, rather than drag them through the horrible ordeal of racks, or deliver them summarily to the fire.

It was about the year 1541 that the guardians of the Romish superstition in Spain began to proceed formally against Lutherans, as they were called, who gathered their knowledge of Christianity from the Bible. During eighteen years, cases of Lutheranism frequently occurred; but they came singly, and the Inquisition did not think it necessary to put forth all its energies until the year 1559, when a scene of surpassing interest opens to our view.

The open profession of Judaism had been dislodged from Spain, after having flourished there from times anterior to the Christian era. The New Christians must have been well schooled into dissimulation, and they no doubt managed to maintain a secret attachment to their ancient faith, and, as Jews, existed still in a profoundly secret society, of which an individual member was now and then detected. I have no sufficient means of tracing the secret history of Judaism, nor is this the place for pointing out a channel of sympathy by which Gospel truth had begun to flow in Spain through the Jewish mind which yet lived in the bosom of Spanish society. But I cannot refrain from borrowing a singular description of the ceremony of "re-Judaization," as it is given by Eymeric.\*

When a baptized Jew desired to return to his former religion, he came into a private assemblage of his own people, where the ceremony was to be performed. It commenced with a question, put by some one of the company, whether he desired to make the *ablution*, or *bath*, or *baptism* (טבילה). On his answering that such was his desire, the principal Jew present proceeded to address him as a *penitent* (בַּעַל תשובה); thus formally reversing the style and ceremonial observed

\* Quest. xliv.

in the Church of Rome towards proselytes. The "penitent" then put off all his clothes and went into the water. Sometimes they had a warm bath for the occasion; and the Jews present rubbed him well with sand from head to foot, but applied the friction chiefly to his forehead, chest and palms of the hands, where the chrism had been applied by the priest in baptism. They also scraped the nails of both fingers and toes until they bled, and shaved off all the hair from his head. After all this, the penitent threw himself into a running stream. His companions caused him to plunge over head three times, and then the senior Jew pronounced a benediction, or prayer: "Blessed be Thou, O Lord God eternal, who hast commanded us to be sanctified with this water." This done, he came up out of the water, put on entirely new clothes, and stood before his brethren as if he were a new creature. All the Jews present then kissed him, addressing him by a Jewish name. Being thus fully received back into the fellowship of Israel, he professed his faith in the Law of Moses, promised to observe it faithfully, denied Christian baptism and faith in Christ, and finally received a written testimonial, to be made use of when occasion might occur, declaring him to be again a good Jew, and calling upon all Jews to give him welcome, confidence, and help. There can be no doubt that such ablutions were frequent, and that through them a considerable part of the Jewish proselytes were recovered to the synagogue.

There is even now, as I am credibly informed, a ceremonial secretly in use among the Spanish Gipsies, for de-baptizing their children whom the priests imagine they have made Christians. Perhaps this was borrowed from the Jews.

The religion of the Koran had been driven out of the Peninsula, and there was neither mosque nor muezzín remaining. Evangelical Christianity was only known in the laws as an offence; yet it did find



admission into the hearts of not a few in secret. Without any ostensible communion, or even a single edifice erected for Divine worship, small companies of brethren were now accustomed to meet in private, and were peacefully and silently resisting forces which, to others, had been resistless. Without any charm of antiquity, or any appeal to human motive, those disciples of our Lord Jesus Christ braved the peril of death for twenty years; and, for eighteen of those twenty years, were doubtless yielding themselves to imprisonment, to tortures, and to death, far beyond the scanty records that have come to our knowledge; those records proving the superior power of that faith which can persevere at all hazards, and in the absence of every earthly succour and incitement. At length, as the obnoxious races had been swept away by two great efforts, so Lutheranism, as it was called, was marked for annihilation by a third.

In the years 1557 and 1558 a large number of persons were imprisoned as Lutherans. Many of them were of illustrious descent, and eminent for learning and official rank. From the usual examinations it became evident that an evangelical reformation was rapidly spreading, and Philip II., with the Inquisitor-General Valdés, resolved to employ some extraordinary means to crush it, if possible, for ever. The King laid the whole case before the Pope, Paul IV., who addressed a Brief to Valdés (January 4th, 1559), authorizing him, notwithstanding anything to the contrary that might be found in the general rules of the Inquisition, to deliver over to the secular arm, for the punishment of death, all dogmatizing (or *teaching*) Lutheran heretics, even although they had not relapsed, as well as those who professed penitence, but were still subject to suspicion. This was an excess of cruelty beyond that of Ferdinand and Torquemada, who never put penitents to death, even if the recantation were evidently extorted by fear, unless they had afterwards relapsed, or were said to have re-

lapsed. On the day following, the Pope gave another Brief, revoking all licenses to read prohibited books, authorising the prosecution of all who read such books, and instructing all confessors to examine their penitents and to require them to declare at the Holy Office the names of all whom they knew to possess them, under penalty of the greater excommunication. The confessor who omitted this examination and injunction was laid under equal condemnation with the penitent. Bishop, Archbishop, King, or Emperor, every one was included under the terrible obligation to go into the Holy Office and give information of the faintest shade of heresy he might have detected or imagined in another. The Jesuits were by this time numerous in Spain, and exerted themselves, beyond all others in the delation of heretics. Suspicion was rife everywhere. The Jesuits themselves were suspected.

The particular heresy that it pleased keepers of the faith to mark for visitation with capital punishment, cannot be so well described as in the words of the Cardinal Inquisitor-General Manrique, who commanded, in agreement with the Council of the "Supreme Inquisition," that to the articles hitherto recited in the annual Edict, requiring all persons to inform against heretics, the following should be added :—

"1. If they know, or have heard, that any one has said, defended, or believed, that the sect of Luther or his followers is good, or that he has believed and approved of any of its condemned propositions; to wit,—

"2. That it is not necessary to confess sins to the priest, since it is sufficient to confess them before God.

"3. That neither Popes nor priests have power to absolve from sins.

"4. That the true body of our Lord Jesus Christ is not in the consecrated host.

"5. That we ought not to pray to saints, nor ought there to be images in the churches.

"6. That there is no purgatory, nor any necessity to pray for the deceased.

"7. That faith, with baptism, is sufficient for salvation, without any need of works.

"8. That any one, although not a priest, may hear another in confession, and give him the communion under the two kinds of bread and wine.

"9. That the Pope has no power to grant indulgences and pardons.

"10. That clerks, friars, and nuns may marry.

"11. That there ought not to be friars, or nuns, or monasteries.

"12. That God did not institute the regular religious orders.

"13. That the state of marriage is better and more perfect than that of unmarried clerks and friars.

"14. That there should be no more feast-days than the Sunday.

"15. That it is not a sin to eat flesh on Fridays, in Lent, and on other days of abstinence.

"16. If they know, or have heard say, that any one has held, believed, or defended various other opinions of Luther and his followers, or that any one has left the kingdom to become a Lutheran in other countries."

When the Inquisitor-General prescribed these additions to the Edict, he told the provincial Inquisitors that they might also insert something to direct information against the *Alumbrados* (enlightened), or *Dejados* (careless), as they were also called, a sect of Antinomians, a folk who are too numerous at all times, but especially abound when a once-dominant religion, whether true or false, has decayed, and while the masses of the people are untaught. In such a condition of society, truth and error are wildly mingled and confounded. But even the speculations of the Spanish *illuminati* would be rather exaggerated by the Inquisitors than stated fairly. The Council of "the Supreme" afterwards took up the suggestion; and in

*cartas acordadas*, or letters of instruction, issued on the 28th of January, 1568, and 4th of December, 1574, prescribed the following questions, which we may take as characteristic of the times:—

“1. Do you know, or have you heard, that any person, living or dead, has said or affirmed that the sect of the *Alumbrados*, or *Dejados*, is good?”

“2. That mental prayer is of Divine command, and that by it is fulfilled all that remains of the Christian religion?”

“3. That prayer is a sacrament hidden under accidents?”

“4. That this sacrament is only verified in mental prayer, since vocal prayer is of little value?”

“5. That servants of God should not busy themselves in bodily exercises?”

“6. That a parent, or other superior, ought not to be obeyed when he commands things that would hinder the exercise of mental prayer and contemplation?”

“7. Have you heard that any one has spoken ill of the sacrament of matrimony, or said that no one can attain to the secret of virtue, without learning from those who teach this doctrine following?—

“8. That no one can be saved without the prayer that they practise and teach, and without making a general confession.

“9. That the heats, tremblings, and faintings, which usually appear in the said teachers, and their good disciples, are indications of the love of God.

“10. That by those signs they are known to be in grace, and to possess the Holy Spirit.

“11. That they who are perfect need not perform virtuous works.

“12. That on reaching the state of one perfect, the essence of the most Holy Trinity is made visible in this world.

“13. That such perfect persons are directly governed by the Holy Spirit.

"14. That for doing a thing, or for not doing anything, these perfect ones are not subject to any other rule than that of inspirations directly received from the Holy Spirit.

"15. That people ought to shut their eyes when the priest elevates the host.

"16. That any one has said that, on arriving at a certain degree of perfection, the perfect can no longer see images of saints, nor hear sermons, nor other discourses that treat of God.

"17. Have you seen or heard of any other piece of bad doctrine of the said sect of *Alumbrados*, or *Dejados*?"

To give audience to the numberless informers who ran to the Holy Office, and gave intelligence of congregations of Lutherans assembled in private houses, and to conduct the procedure of inquisition, Don Pedro de la Gasca was appointed by Valdés to be sub-delegate in Valladolid; and in Seville, Don Juan Gonzales de Munebreza: for in these two cities, and in their neighbourhood, the Gospel was making extraordinary progress. Valdés also appointed a set of itinerating officers, who dispersed themselves all over the country, and on gaining information of any persons who were leaving their homes to avoid persecution, mounted on post-horses, pursued them from stage to stage; and, flight being held equivalent with confession of heresy, brought the fugitives back, and threw them into dungeons.

The revenue of the Holy Office, rich as it was, was said to be insufficient to defray the cost of the crusade; and therefore the Pope, at the request of the Inquisitor-General, required the revenue of a canonry in each metropolitan cathedral and collegiate church to be transferred to this new service; and, by another Brief, he alienated the sum of one hundred thousand ducats of gold from the ordinary ecclesiastical revenue of Spain, to be expended in like manner. Many chapters demurred at the impost, and one, at least,—that

of Mayorca,—refused to pay so much as a maravedí; but they generally submitted in the end, and never was army better equipped for a campaign, than were those Inquisitors for their murderous work. Public expectation ran high. The priests and the priest-ridden populace demanded spectacles answering to the rank and number of the heretics, and they were not disappointed.

But the interests of society and the insatiate blood-thirstiness of the Inquisition could not be reconciled. Don Philip, as Prince of the Asturias, &c., was called on to interfere between the ecclesiastical and civil authorities, the latter being no longer able to endure the brutality of the priests. His Majesty, speaking as “Firstborn of Castilla and Aragon, &c.,” states the case with a despotic indifference to morals and humanity, as a judge careful only to make peace between the parties litigant.

He has been informed that in the city and kingdom of Valencia, in consequence of the great number of familiars in the Holy Office, and their wish to be exempted from punishment for whatever crimes they may commit, and to be independent of the jurisdiction of the King’s officers, many inconveniences have followed. The Inquisitors have wished to defend their familiars, and prevent the magistrates from taking cognisance of their proceedings. The magistrates, as representing Royal authority, refuse to submit to the inquisitorial interference, and furious contentions have arisen between the two parties. The Inquisitors have oftentimes excommunicated the magistrates, placing under their ban all the members of the Audencia Real, diminishing the authority of law, and impeding the course of justice. The members of this Royal Court, nothing daunted by excommunication, have sometimes presumed to take information against familiars of the Inquisition, and proceed against them accordingly, from which boldness of theirs has arisen very great anger, contention, and debate, and thus cries have

reached the princely ear from both sides, from the Audiencia, and from the Inquisition, threatening that if this state of things be not mended, and order once more established, there will be an end of all peace and authority ; " the Royal jurisdiction will be set at nought, justice will be disturbed and hindered, and the authority and preeminence of the Holy Office, which we desire," said Don Philip, at this time husband of bloody Queen Mary of England, " to be preserved, as in reason it ought to be, and that scandals and disturbances be avoided among the people, and that the familiars enjoy what they ought to enjoy, and that no trouble or obstruction be put in the way of his majesty's justices, and ours, for we think that our Lord (Jesus Christ) will in this way be much served, and the Holy Inquisition held in better repute and estimation, and the Royal jurisdiction upheld," and the Royal Justices and the Inquisitors get on better together ; " and that they may no longer stand in each other's way, we command that some persons meet together over this affair, on part of the Royal Council of Aragon which resides near us, and on part of the General Inquisition, who, having seen and heard all the abovesaid, shall speak and converse together on what provision shall be made, both as to the number and quality of familiars, necessary for the action of the Holy Office, as also as to the causes and offences in respect of which the said familiars ought to be exempted from the secular justices, and over whom they, " the Inquisitors " should retain their jurisdiction.

Philip's pleasure was obeyed. The Shepherds and the Wolves met in council. The thing to be settled was how the wolves might be fed a little more moderately, and how the shepherds might not be troubled. They arrived at the conclusion that the number of familiars was to be diminished, and an attempt was made in several articles of the new compact between shepherds and wolves to preserve peace

between all parties. For the preservation of peace—the first thing aimed at by the Royal Audience and Holy Inquisition,—a terrible force of armed familiars of the latter body was kept on foot. The paper containing this conclusion was dated in Valladolid, May 11th, 1554, Signed EL PRINCIPE; duly countersigned and archived.\*

Peace was probably enforced for a little. Wolves fed on the sheep, according to Philip's regulation, and shepherds slept in quiet. But this wretched state of affairs did not last. Fourteen years later, when Philip had witnessed the horrors of persecution in England, and must have been well nigh sick of it, he became King of Spain, and ordered a visitation of the Inquisitions of Aragon, Valencia, Cataluña, and the Counties of Rosellon and Cerdeña. Having received a full report of inquisitorial excesses in violation of civil rights, and of the insufferable arrogance and lawlessness of even the meanest officers of the Inquisition, and being duly impressed with a sense of the jealousy of foreign interference prevalent among the people of those northern provinces, he issued a stringent decree for enforcing order and justice in the Kingdom of Valencia.†

But the Emperor Charles V. and King Philip II. found themselves, no less than their meanest subjects, amenable to inquisitorial authority. They had presumed to exercise their judgment in respect to marriage-laws within their own dominions, in a way that gave offence to Pope Paul IV. After threatening excommunication and interdict, which provoked but a feeble show of resistance from the King, Paul commanded Valdés, as Inquisitor-General of Spain, to punish the *authors* and followers of the opinions on the points in dispute; such doctrine being notoriously heretical and inexcusable to priests who discountenance marriage and think free celibacy a more perfect state.

\* Manuscript B.M. 4625, g. 1.

† *Ibidem*.



Philip's courage soon gave way, for he might have been convicted of heresy at any moment, being himself an author of heretical opinions on the subject of civil rights. He ordered the Duke of Alva, then in Italy, to beg the Pope's pardon for his heretical resistance. The Duke obeyed, of course. "Henceforth," said Paul to his cardinals, "this example of the King of Spain will support the supreme pontiffs, when teaching proud princes how to pay due obedience to the head of the Church."

"My master," said the Duke, "has made a great mistake. Had I been King of Spain, Cardinal Caraffa should have come to Brussels, and knelt down at my feet to beg pardon, as I have had to beg it of the Pope." Alva was right for once.

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## CHAPTER XIV.

## SPAIN.

## PREPARATIONS FOR AN AUTO-DE-FÉ.

HERE we may describe, in general, the usual preparations for a Spanish *Auto-de-Fé*, for the public execution of heretics.

When an Inquisitor had determined to pronounce sentence on a company of prisoners, he appointed, as we observed when describing the Sermons of Toulouse, a Sunday or feast-day for the solemnity; avoiding, however, a Sunday in Advent or Lent, or Easter Day, or Christmas Day, or any of the greater festivals, because, for such days, special musical and dramatic entertainments were provided in the churches, and were not to be interrupted. The day being fixed, general notice was given by the curates from their pulpits, that, at the time and place appointed, there would be a "general Sermon of the Faith" delivered by the Inquisitor; and that, in honour thereto, all other preachers would be silent. A living picture of the last judgment, said they, would be represented for the instruction of the faithful.

If any were to be delivered over to the secular arm, due notice was given to the chief civil authority, that he might be present, with all his subordinates, to receive the culprits. On the day before the *Auto*, it was usual to carry a bush in procession to the *Quemadero*, or place of burning, thereby to signify many things to the people, which were fully expounded by the preachers, as appears elsewhere in these pages.

A secretary and servants, with a crier, came forth in a body from the palace of the Inquisition, and, in

the squares and public places, unfurled a banner, on which was displayed an order, that no person, of whatever station or quality, from that hour until the day after the execution of the *Auto*, should carry arms, offensive or defensive, under pain of the greater excommunication, and the loss of such arms; and that this same day, until two in the afternoon, no person should proceed in coach or sedan, or on horseback, through the streets where the procession was to pass, nor enter the square in which the scaffold was erected.

In the evening came the procession of the Green Cross. All the communities of friars of the city and neighbourhood, having assembled at the Holy House of Inquisition, together with the commissaries, the scribes, and the familiars of that district, sallied forth in long array. After them walked the consulters and the triers (*Calificadores*), with all the officials of the Court, each carrying a large white taper, lighted. Between the officials went men burdened with a bier, that was covered with a pall. A numerous band, vocal and instrumental, followed last, performing the hymn, *Vexilla regis prodeunt*.\* In this order the procession reached the square where the platform and galleries were made ready for the exhibition of the morrow. On that scaffold was an altar; and the pall being removed from the bier, a large green cross, covered with a black veil, was taken off it, carried to the platform, unveiled, erected on the altar, and illuminated with twelve large white tapers. Some friars of St. Dominic, and a strong body of lancers, took their station round the cross, to watch there during the night, and immediately the procession dispersed.

Meanwhile, preparations began in the Holy House,

\* The hymn so beginning is to be found in the Breviary, *infra Hebdomadam quartam quadragesimæ*. It contains the often-quoted passage: "Hail to thee, O cross, our only hope! In this time of passion, increase grace to the pious, and blot out their crimes for the guilty."

where the prisoners had their beards shaven off, and their heads shorn close, that they might present an appearance of nakedness and humiliation, suitable to wretches who had forfeited baptismal grace.

On the morning of the fatal day, by sunrise, or earlier, the culprits were brought out of their cells into the chapel or hall, already attired for the spectacle. Penitents of the lowest class were merely dressed in a coarse black coat and pantaloons, bare-headed, and without shoes or stockings. The more guilty wore a *sambenito*, or penitential sack. Their habit was yellow, and the St. Andrew's cross which appeared on it was red. Sometimes a rope was put round the neck, as an additional mark of ignominy. Those who were to be burnt were distinguished by a sack of sheepskin, in the same form, called *zamarra*,\* and a conical paper cap, slightly resembling a bishop's mitre, and called *coroza*.† On the *zamarra* there was no cross, but a painting of flames and devils, and sometimes an ugly portrait of the heretic himself,—a head with flames under it. The *coroza* was ornamented in like manner. Any who had been sentenced to the stake, but indulged with commutation of the penalty, had inverted flames painted on the livery; and this was called *fuego revuelto*, "inverted fire."

The penitents, of all degrees, were to sit upon the ground in profound silence, not presuming so much as to move a limb, and thus await the hour. Those condemned to burn were taken into a separate apartment, where the Inquisitors beset them with importunate exhortations to repent, and be reconciled to the Church. The inducement for them to repent was an offer that they should be put to death less painfully, by strangulation, not by flames, leaving only lifeless bodies that would not feel the fire, and that they should be spared from hell.

They who came to take part in the *Auto* assembled

\* From a Hebrew word, זמר came *zamarra* in old Spanish.

† Peggiorative of *corona*, "crown."

in the palace of the Inquisitor, filling the apartments, and partook of an abundant breakfast, to fortify them for the labours of the day. The penitents, the impenitent, and the relapsed also had a meal prepared for them; and sometimes, as if in mockery, the breakfast set before those condemned to taste the fire was ostentatiously sumptuous.

The great bell of the cathedral had been tolling from early dawn, and now the city was in motion. All preparations being complete, the chief Inquisitor proceeded to the door of his palace, attended by his notary, who read the roll, beginning with the names of those who had offended least, and closing with them on whom the Holy Office poured its bitterest curses. Each person came when called in turn, with all his marks upon him,—marks of starvation, torture, terror, shame; or, oftentimes, with a smile of conquest on his countenance, if not with words of triumphant faith bursting from his lips. But criminals of that class were usually distinguished as dogmatizers; and if any of them did not come gagged, the gag was ready to be put on, if necessary, to prevent them from uttering words which the priests did not wish the people to hear. In such cases the mouth was filled with a piece of wood, which pressed down the tongue, while it was kept in by a strong leather band fastened behind the head, and the hands of the heretic were bound together behind his back. In Goa, as each came, or was brought, the notary read a second name, that of a guard, or sponsor, who was to perform the meritorious duty of walking beside him in the procession. In Spain there were two guards to each person condemned to die at the stake.

The Dominicans, always honoured with precedence on such occasions, led the way in Goa and in Spain; singing boys came next, chanting a litany. The banner of the Inquisition was entrusted to the hands of the Dominicans. The Spanish banner was a rude green cross on a black ground, with an olive-branch

on one side and a sword on the other, showing the alternative of reconciliation or death offered, or pretended by the Holy Office. The motto was, *Exsurge, Domine, et judica causam Tuam*: "Arise, O Lord, and judge Thy cause." The Inquisition of Goa displayed a portrait of Dominic, holding the olive-branch and sword, standing on a cloud, with a dog—of which his mother dreamt some months before his birth—having a brand in its mouth to set the world on fire. By this motto, *Misericordia et justitia*, the fiery saint seemed to offer the choice of mercy or justice to his victim. Yet the motto could only serve to remind every one who saw it that the Inquisition, by its own rules bound, cannot exercise mercy, and that it sets at nought even the common forms of justice. After the banner walked the penitents, two by two. In Goa a cross-bearer brought up the train, carrying a crucifix aloft, turned towards them, as if in signal of pity; and, on looking along the line, you might have seen another priest going before the penitents, with his crucifix turned backwards, inviting their devotions. In Spain, the banner which preceded was itself a cross, and answered the same purpose. They to whom the Inquisition no longer offered mercy, walked behind the penitents, and could only see an averted crucifix. Two armed familiars walked or rode beside each of the condemned, himself mounted on an ass, and two ecclesiastics, probably Theatines, or some such clerks regulars, being in attendance. After these, the images of heretics who had absconded were carried aloft, to be thrown into the flames; and porters came last, toiling under the weight of boxes containing disinterred bodies, on which the harmless execration of the Romish Church had fallen, and which were also to be burnt.

To do honour and service on the occasion, the whole body of civic authorities, high and low, walked in order after that miserable train; then followed the secular clergy, then the regular clergy.

The staff inquisitorial, not to be confounded with meaner mortals on that triumphant day, marched on before, a long space intervening between them and the general procession. They were attended by a strong body of armed familiars, all mounted on horseback, and overshadowed by the banners of the Pope and of the King. They first entered into the grand theatre, and ceremoniously took their place.

This theatre was a temporary wooden erection, very spacious. It was, to speak more correctly, the divided segments of a large amphitheatre, resembling those which are built for bull-fights, except that it was not an unbroken circle, but consisted of separate galleries facing the central area, on two or three sides of a square, with stages for the chief officers of Church and State, and at least one magnificent altar, the fourth side of the square being left open for entrance and egress. On one side of the altar was a pulpit, for the delivery of the sermon and the publication of the sentences; or there may have been two. The members of the procession ascended the galleries in order, and the open area was left free for the ceremonies that were there to take place.

Outside the city—as in the valley of Gehinnom, for the fires of Tophet, and the sacrifices of Moloch—was a hearth, or place of burning. As our own language is too poor to provide a name for such a thing, we consent to borrow from Spanish its peculiar and exclusive designation, and call it the *quemadero*. The *quemadero* was a piece of pavement devoted to the single use of burning human bodies; and besides other sufficient reasons why it should lie without the walls, there was this, that the act of killing might be done apart from all the ecclesiastical ceremonies, and so be made, as expressly as possible, that of the civil power. It was also to be avoided that the smoke of those horrid sacrifices should offend the nostrils of the higher clergy; those dignitaries only to whom the sight would be specially agreeable

going so far to witness the execution of their own sentence; or they who, for the sake of appearing to manifest a superior degree of devotion, might think it comely to attend at the performance of the meritorious deed of sending an impenitent heretic to hell. Sometimes the quemadero was a raised stone platform, as we mentioned before, and was even surmounted with statues or pillars, or other bits of ornamental masonry, to distinguish or beautify the spot.

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## CHAPTER XV.

## SPAIN.

## SOME GRAND AUTOS.

1.—VALLADOLID, *May 21st, 1559.*

FOUR famous Acts of Faith distinguished the reign of Philip II. Never were heretics baited and burnt with greater pomp than in Valladolid and Seville in the years 1559 and 1560.

On Trinity Sunday, May 21st, 1559, was the first royal *Auto-de-Fé* ever celebrated in Spain. It took place in Valladolid, in the great square. The King himself was not able to be there; but the Princess Doña Juana, governess of the kingdom in his absence, and the unhappy Prince, Don Carlos, were on the stage. They were surrounded by members of all the councils that attended the Court, many grandees of Spain, a large number of marquises, counts, viscounts, barons, and untitled gentlemen; ladies of all sorts. A vast concourse of spectators covered the ground. Chairs of state, galleries, altars, pulpits,—all fitted up with unsparing sumptuousness. Spain had gold like the stones of the street then: out of Jews, out of Moors, heretics, and heathens, the treasure and the blood were drawn alike. The courtly spectators were all seated in state, when the procession, marching to the chant of litany, entered the theatre, and they counted sixteen persons wearing penitential badges, brought to be reconciled to the Church, and then to wear away their life in ignominy. There were fourteen covered with painted devils and red flames, to die by fire. There was a box, too, containing the mortal remains of one reported to have died under the taint

of Lutheranism; and this lady's effigy was carried on a high pole, as a mark of special ignominy.

We note the highest class of sufferers more particularly.

*Doña Leonor de Vibero*, wife of Pedro Cazalla, King's Comptroller, daughter of one who had held the same office, and late proprietress of a chapel and burial-place in the church of the monastery of St. Benedict, in Valladolid. *Doña Leonor* died in communion with the Romish Church,—communion signified by the ceremonies of confession, mass, and extreme unction. Some prisoners of the Inquisition, when on the rack, or threatened with it, said that she had entertained and acknowledged Lutheran opinions up to the time of her decease; and, on enquiry, it was found that religious meetings were wont to be holden in her house. Sentence was therefore given that she had died in heresy. Her children and grandchildren were pronounced infamous. Their property was confiscated. Her exhumed body was carried in procession to the theatre, thence to the *quemadero*, and there burnt openly. Her effigy was paraded through the streets, with *coroza*, *zamarra*, flames, and devils, amidst brutish yells. The house where she had lived, and where the Lutherans had met for prayer, was levelled to the ground, and a pillar erected on the site, with an inscription, setting forth the offence, the sentence, and the execution. "I have seen the site, the pillar, and the inscription," says Llorente; "but they tell me that it is no longer to be found; a French general, in the year 1809, having caused this evidence of ferocity towards the dead to be taken down."

The following were burnt:—

1. *Doctor Agustin Cazalla*, presbyter, Canon of Salamanca, Chaplain of Honour and Preacher to the King and to the Emperor, son of Pedro Cazalla, King's Comptroller, and of *Doña Leonor* just mentioned. They say that he was, in common with many

of the first people of Spain, of Jewish extraction. He was accused of being "chief dogmatizing Lutheran heretic of the conventicle of Valladolid, and correspondent of that of Seville." At first he denied the facts, and even swore to the denial; but when condemned to suffer torture, and taken to the chamber, he confessed, and signed his confession with a promise to be "a good Catholic," if they would allow him to be reconciled under penance. The Inquisitors thought it impossible to remit capital punishment to one who had been guilty of dogmatizing; but they encouraged him to hope for mercy, and got him to reveal the history of his life, with many particulars relating to other persons, which might serve their purpose. On the day before this *Auto*, one Fray Antonio de Carrera, a Jeromite monk, went to him by order of the Inquisition, and told him that they were not yet satisfied with his declarations, which did not disclose all the truth; and that it would be for the good of his soul to confess all that he could remember of himself, or that he knew of others. He answered that, without bearing false witness, he could confess no more, for he knew no more. Then, after much conversation, the friar bade him prepare to die the next day. Astounded at this announcement, he asked if there was no hope left for a mitigation of the sentence; and hearing that there was none unless he would make a larger confession, he seemed to look to Him from whom alone mercy could be had. "If it be so," said he, "let me prepare to die in the grace of God; for, without falsehood, I cannot say more than I have said already." But he obtained exemption from the stake by passing through a form of confession with the friar, and was therefore strangled before the burning of his body.

2. *Francisco de Vibero Cazalla*, brother of the Doctor, was a presbyter, curate of the town of Hormigos. At first he denied the charge of Lutheranism; but they say he confessed when under torture, and signed the

confession; and it is also said that he implored reconciliation to the Church with penance. To him they would show no pity, because, although not a dogmatizer, they thought that his repentance only arose from fear of death. But it does not appear that he did repent. On the contrary, he persevered in confessing Christ; and when his brother, at the quemadero, was speaking to the spectators under the character of a penitent, he manifested grief and indignation at his unfaithfulness, and gave himself calmly to the flames. Both he and his brother were degraded from the priesthood in the theatre, before being led away to the place of execution.

3. *Doña Beatriz de Vibero Cazalla*, sister of the two preceding, denied, confessed when on the rack, implored reconciliation and pity, failed to obtain either, was strangled, and then burnt.

4. *Alfonso Perez*, presbyter, Master in Theology, denied, confessed on being tortured, was degraded, strangled, and consumed.

5. *Don Cristóbal de Ocampo*, from Zamora, Knight of the order of St. John, Almoner of the Grand Prior of Castile and Leon of the same order, was strangled, and thrown into the fire.

6. *Cristóbal de Padilla*, a private gentleman, strangled and burnt.

7. *The Licentiate Antonio Herrezuelo*, advocate, from the city of Toro, was condemned as an impenitent Lutheran, and died with a good confession. *Agustin Cazalla*, as they were going to the quemadero, exhorted him to follow his example, and by confession, so called, escape the flames, and at the spot continued the exhortation; but Herrezuelo was unmoved. He sang psalms, and recited passages of Scripture, as they went through the streets, and smiled when they bound him to the stake. He could not then speak, for they had gagged him; and a soldier of the guard, to signalize his zeal, stabbed him with his halberd; but the wound was not mortal, and so, bleeding and burning at the same time, he expired.

8. *Juan García*, silversmith. It was his wife who first told the Inquisitor where meetings were held for prayer. *García*, who frequented the house, died, of course. He made the mock confession, and was strangled at the stake; but *the vile woman was rewarded for betraying her husband with a yearly pension from the treasury of the Holy Office.*

9. *The Licentiate Perez de Herrera*, a magistrate of the city of Logroño, was condemned, confessed, strangled, and his body burnt.

10. *Gonzalo Baez*, a Portuguese, condemned as a Judaizing heretic, confessed, and suffered in the same manner.

11. *Doña Catalina de Ortega*, a lady of rank in Valladolid, condemned as a Lutheran, confessed, and died as the others.

12. *Catalina Roman*, a woman from Pedrosa;

13. *Isabel de Estrada*, a *beata*, or female devotee, of the same town; and

14. *Juana Blasquez*, servant of the Marchioness of Alcanices, were all conducted to the burning; and, with the exception of the Portuguese, who was probably of Jewish descent, they all suffered for Lutheranism. It is worthy of grateful remembrance that two of this company refused to make the perilous concession of an external reconciliation with the Church of Rome, and, by confessing the Lord Jesus Christ, openly triumphed over Antichrist.

The sixteen penitent sack-bearers were led back from the parade of that doleful day to the cells of the Inquisition, there to spend one other night. If the rules were kept, the work of persecution was resumed, next morning, with accelerated vigour. For every one who had taken any part in the *Auto*, even but as a spectator, and contributed nothing to it beyond his presence, or perhaps one passing execration on the heretics, forty days' indulgence had been proclaimed. Every one who had rendered any active aid was bidden to rejoice in three years' respite from the pains

of purgatory. And every one who would help to make up another burning, by information of another lurking heretic, was incited by an offer of the like indulgence. The Inquisitors, refreshed by a night's repose, met in their palace, and had the sixteen penitents once more into their presence. The sentence given against each was read, and one of the fathers instructed him concerning the manner, the degree, and the duration of his penance. This monition ended, each was sent to his proper place. Some, destined to the galleys, were taken to the civil prison, thence to be transferred to the chain, the oar, and the lash. Some, stripped and flogged, went bleeding through the streets and market-places. Some, covered with *sambenitos* and dragging ropes, were made to show themselves in squares and in churches, there to be tormented by the ribald mob, who heaped on them every sort of insolence. And all were sworn to seal up in everlasting silence all that they had seen, heard, or suffered, under peril of a repeated prosecution. The *sambenitos*, or *zamarras*, worn by the persons to be burnt, were afterwards hung up in the church of the Dominicans, with the name of each, and the word *combustus*, "burnt."

Meanwhile, the gracious providence of God did not slumber. The Princess Juana, and the young Prince of Asturias, Carlos, in their places on the platform, had been required to swear fidelity to the Holy Office; binding themselves, by that oath, to give notice of everything that they should ever know to be spoken or done against it. The royal persons reluctantly submitted; but the Prince, then but fourteen years of age, writhing under the indignity, eyed every part of the ceremony with horror. The hatred of the Inquisition, and compassion for the Protestants, which sprang up within him, cost him his life eventually; but not until he had contributed to create that jealousy of the horrible tribunal which soon took deep root in the Court of Spain.

2.—SEVILLE, *September 24th*, 1559.

The managers of the next *Auto*, which was held in Seville, on Sunday, September 24th, 1559, could not boast of royal presence; but the Church of God acknowledges a noble band of martyrs who suffered on that day. In the square of St. Francis was the usual apparatus for this kind of service. Four bishops, all men of experience in the immolation of human victims, being Inquisitors of the Faith in Seville, the Chapter of the Cathedral, some *grandees*, the Duchess of Bejar,—good lady!—knights, many other titles, a train of untitled ladies, with the usual vulgar concourse on the ground, were actors, helpers, witnesses. Twenty-one were brought to be burnt, followed by one effigy. There were eighteen condemned to penance.

The effigy represented Francisco de Zafra, a beneficed presbyter of the parish-church of St. Vincent, of Seville, condemned as an absent, contumacious, Lutheran heretic. Reynaldo Gonzalez de Montés\* says that he was very learned in the Holy Scriptures, and so skilful in concealing his opinions, that the Inquisitors did not suspect him, but frequently employed him as a trier of doubtful propositions; and that, in this capacity, he gave a favourable judgment of the writings and speeches of many of his friends, and so served them greatly. A weak-minded *beata*, whom he supported in his house, and who had become acquainted with his connexions, ran mad, was placed under the severe discipline then thought necessary for maniacs, and confined to her chamber. But she escaped; and in revenge for the restraint, went straight to the Inquisition, asked an audience, and informed against as many as she could think of, Zafra included. With her help, the Inquisitors made out a list of more

\* Better known as Reginaldus Gonsalvus Montanus, author of a small volume intituled "*Sanctæ Inquisitionis Hispaniæ Artes aliquot detectæ*," containing an account of his own experience when a prisoner in the Holy House of Seville.

than three hundred persons. At first Zafra succeeded in persuading the Inquisitors that he ought not to be suspected of heretical taint on the testimony of an insane woman; but they had caught the clue. A multitude of persons were soon in durance, and the prisons in the Castle of Triana, and all available places of confinement in Seville were filled. Zafra was arrested also; but the suddenness of the procedure made it impossible to provide sure prisons, and he, with several others, effected his escape. His effigy was burnt.

First of those given over to the secular arm was *Doña Isabel de Baena*, a rich lady of Seville, in whose house a congregation had met. She was burnt, and her house torn down to the ground, like that of her sister Leonor de Vibero in Valladolid.

2. *Don Juan Gonzalez*, presbyter, of Seville, an eminent preacher, and his two sisters. With admirable constancy, he refused to make any declaration, in spite of extremely severe torture, saying that he had not followed any erroneous opinions, but had drawn his faith from Holy Scripture; and for this faith he pleaded with his tormentors in the words of inspiration. He maintained that he was not a heretic, but a Christian, and absolutely refused to divulge anything that would bring his brethren into trouble. His two sisters were also brought out to this *Auto*, and displayed equal faith. They would confess Christ, they said, and suffer with their brother, whom they revered as a wise and holy man. They were all tied to stakes on the quemadero. Just as the fire was lit, the gag which had silenced Don Juan was removed; and as the flames burst from the faggots, he said to his sisters, "Let us sing, *Deus laudem meam non tacueris*." And they sang together, while burning, "Hold not thy peace, O God of my praise; for the mouth of the wicked and the mouth of the deceitful are opened against me; they have spoken against me with a lying tongue." Thus they died in the faith of Christ, and of His holy Gospel.



3. *Fray García de Arias*, called "the White Doctor," from his snow-white hair, an aged monk of the monastery of St. Isidore of Seville. For many years he had entertained evangelical opinions in secret; but few of the more eminent converts were aware of it. He was universally revered, and thought to be a thorough Romanist, except by the few who knew him intimately. Indeed, he had been among the most zealous opponents of the Reformation and persecutors of the Reformed. The Inquisitors constantly consulted him on questions of doctrine; he was notorious as a favoured consultor and partisan of the Holy Office; and when his change of views aroused suspicion, and the Inquisitors began to receive accusations against him, they imagined that the Lutherans were endeavouring to revenge themselves, and advised him to be more cautious for the future when in the presence of suspicious persons. His opinions were then changed, but not yet his heart. He was convinced of the truth, but concealed his conviction in the most extraordinary manner.

Then it was that *Gregorio Ruiz*, a preacher in the cathedral of Seville, gave great offence by evangelical expositions of Holy Scripture; and, when he was delated, the Inquisitors resolved to test him by a formal disputation. Ruiz applied to his friend Arias for counsel, who concerted with him a course of argument that seemed cogent enough to reduce the theologians to silence, whoever they might be; but he was amazed to find his friend among the Inquisitors arguing against him, and demolishing the very arguments he had himself suggested. Ruiz yielded. The mysterious contradiction had deprived him of all self-possession. By yielding, however, he escaped the vengeance of the Inquisition; and afterwards Arias told him and other brethren that he had, by that contrivance, averted from the whole party the death that he saw impending over them.

But this dissimulation could not continue. Arias

became increasingly earnest, and laboured incessantly in communicating his knowledge of the truth to some who subsequently bore a conspicuous part in the labours of the Reformation. The light could not possibly be covered. Delations were renewed; and the Inquisitors, enraged at finding that they were deceived, threw him into a secret dungeon. His companions had taken timely warning, and fled; but he himself remained in the very jaws of death. Then, in the strength of God, he resolved not to dissemble any more, and made a bold and most explicit confession of his faith, defended his belief concerning justification, the sacraments, good works, purgatory, images, and all the points in controversy, and declared the Romish doctrine to be grossly erroneous. In short, he turned the attack upon the Inquisitors, who were utterly unable to contend with him. He taxed them with ignorance, and put them to silence with his learning. But such a contest was unequal. They could hide their shame under the veil of secrecy; and he was brought forth with the coroba on his reverend head, and with the cope of infamy. He died, as *they* would say, impenitent, having entered into the pyre rejoicing that, by the grace of God, he could bear witness in a good confession.

4-6. *Fray Cristóbal de Arellano, and his two brothers.* Cristóbal was a member of the same convent, a truly Christian community; and was, even by confession of the Inquisitors, profoundly learned in the Holy Scriptures. And he was no less bold in his confession. They condemned him as a contumacious Lutheran. When, in the square of St. Francis, the "merits" of his cause were read, one of the propositions imputed to him was that the mother of our Lord was no more a virgin than he himself. Unable to suffer so shameful an accusation, he rose, and cried aloud, "That is false! Never have I uttered such a blasphemy. Always have I believed the contrary: and now, and in this place, will I prove out of the Gospel the virginity of

Mary!" Such were the *merits* published at those times, to stir up the multitude against the followers of our blessed Saviour. When they reached the quemadero, he was intensely earnest in exhorting two of his brother monks, Crisóstomo and Casiodoro, to stand firm in Gospel truth. Nor was his exhortation lost. They all suffered a triumphant martyrdom.

7. *Fray Juan de Leon*, another inmate of the same monastery, was among those who, after consultation with their brethren, absconded, in hope of saving their lives. Unable to bear separation from Christian society, he secretly returned, but found that they also had fled, and were at Frankfort. Thither he followed them, and thence they proceeded, in one company, to Geneva. At Geneva, hearing that Queen Elizabeth was on the throne of England, instead of Mary, they resolved to seek refuge here, and set out on the journey. From the time, however, that the Christians were known to be fleeing from Seville, the Inquisition employed spies in Milan, Frankfort, Antwerp, and other towns of Italy, Flanders, and Germany, giving handsome rewards to all who brought back fugitives. Fray Juan was among those who fell into their hands. They caught him in Zealand, just as he was about to embark for England, together with Juan Sanchez; who, exactly a fortnight afterwards, suffered in Valladolid. They loaded Fray Juan de Leon with irons on his arms and legs, put an iron cap over his head and shoulders, with a loop passing down into his mouth, pressing down "the natural tongue of flesh," and brought him to Seville. When thrown into prison, he confessed his faith, and maintained it bravely, too. Condemned to be delivered to the secular arm, he was brought to the *Auto* with a gag in his mouth, thrust in so cruelly, that it caused excessive torture, and gave him a most pitiable appearance. Contrary to custom, he was not shaven; and his haggard, wasted figure presented an appearance scarcely human. They removed the gag when he

was at the stake, that he might say the Creed, profess the "Catholic faith," and be confessed, in order to avoid the death by fire. An old schoolmate, priest of the same monastery, implored him to take pity on himself; but he would not hazard the loss of God's mercy, and steadfastly persevered in confessing Christ his Saviour, that he might enter, even through fire, into rest.

8. *The Doctor Cristóbal de Losada*, who had practised as a physician in Seville, and was regarded as the minister in a congregation of the Reformed in that city, resisted every persuasion to recant, directly or indirectly, and was burnt alive.

9. *Fernando de San Juan*, a schoolmaster, at first showed some signs of instability, but recovered strength, confessed boldly, and was burnt alive.

10. *Morcillo*, a monk of St. Isidore, and his fellow-prisoner, who had encouraged him to this effort of constancy, wavered at the last moment, and was strangled by the inquisitorial grace, usually granted to those who make what they have the arrogance to call a "sacramental confession."

11. *Doña Maria de Bohorqués*, illegitimate daughter of a gentleman of Seville, not quite twenty-one years of age. She had been instructed by Doctor Juan Gil, canon-magistrate of Seville, and Bishop elect of Tortosa. She knew Latin well, had some knowledge of Greek, possessed a good library with many Lutheran books, knew much of the sacred text by memory, and was well taught in evangelical doctrine. When confined in a secret dungeon, she made a bold confession, and argued calmly with her persecutors. She acknowledged all that was true in the charges laid against her, and denied what was false or misapprehended; but maintained an impenetrable silence on whatever would lead to the discovery of others. The Inquisitors put her to the torture, and made her say that her sister Juana had not reproved her for the opinions she entertained. Beyond this they could

extort nothing. During the intervening days incessant attempts were made to subdue her constancy, but she overcame them all; and when a party of priests came, the night before her death, to make a last effort, she thanked them for their pains, but assured them that she was infinitely more interested in her own salvation than it was possible for them to be. When the iron was on her neck at the stake, they bade her recite the creed, which she did readily; but began to expound it in such a manner, as to leave no doubt of her consistency. To prevent this, they strangled her; and her ashes were mingled with those of the martyrs of Seville, than whom there never was a nobler company.

But there was another victim who did not appear in the procession that day, nor at the quemadero.

*Doña Juana Bohorqués* was the sister of Maria. The single word that had escaped from Maria, when in the anguish of torture, was enough for the Inquisitors. She had not reproved her; there had not been any breach of sisterly affection; therefore Juana was to be suspected of heresy. Had Juana been a good Catholic, as they call it, she would have made haste to deliver up Maria to the butchers. To be suspected, in the meaning of the Holy Office, is to be guilty; so this lady was instantly seized, and thrown into the Castle of Triana. As they found that she was soon to become a mother, they allowed her to remain in an upper apartment until the birth of a male child, which was taken from her at the end of eight days; and, after the lapse of seven more, she was sent down into a dungeon. Then began the trial. Charges were made which she could not acknowledge with truth, and they were not slow in applying torture. But how could fiends be expected to pity this young mother? To bind her arms and legs with cords, and to gash the limbs with successive strainings by the levers, or to dislocate her joints by swinging her from pulleys, yet sparing vital parts, would have been the

usual course of torment, and from all that she might have recovered. But anguish brought no confession: and, as one of their authorities afterwards wrote in the *Cartilla* of that same Holy House, "*there are other parts.*" The savages, in their fury, passed a cord over her breast, thinking to add new pangs; and by an additional outrage of decency, as well as humanity, extort some cry that might serve to criminate husband or friend. But when the tormentor weighed down the bar, her frame gave way, the ribs crushed inwards. Blood flowed from her mouth and nostrils, and she was carried to her cell, where life just lingered for another week, and then the God of pity took her to Himself. The murderers had not committed the least inquisitorial irregularity; for she did not die while in their hands. They needed no absolution, they showed no compunction; but, in fear of scandal, they strove to smother the report. Over her dead body they pronounced a sentence,—not that she was innocent, as some say, but that the accusation of heresy had not been proved. If hell can be upon earth, it must be in an Inquisition.

3.—VALLADOLID, *October 8th, 1559.*

Providentially for England, Philip II. missed the crown, by the death of his wife, Mary. He had gone over to his hereditary dominions before her decease, and was in Brussels, anxiously negotiating a peace with France, when the first *Auto* took place at Valladolid. His return to Spain was by sea. Having embarked at Flushing, he found his way into the Bay of Biscay, and was within sight of Laredo, when between rough weather and bad seamanship, his fleet began to founder. In that extremity he made a vow that, if God would permit him to set foot on firm ground again, he would take signal vengeance on the heretics of Spain. He landed, and it was resolved that the vow should be fulfilled without delay in Valladolid.

On Sunday, October 8th, 1559, in the grand square, as before, an *Auto* was celebrated with unprecedented pomp. The "heretics," with their guards, occupied a gallery so contrived that the culprits might be seen by the spectators on all sides. Independently of the King's oath, it had been predetermined that he should be recreated by the spectacle now exhibited; and several prisoners were reserved to supply the entertainment. The King was there accordingly; the young Prince of Asturias for the second time; his sister also for the second time; his cousin, the Prince of Parma; three ambassadors from France; the Archbishop of Seville; the Bishops of Palencia and Zamora; several bishops elect; the Constable and Admiral; dukes, marquises, and counts, in good number; high dignitaries ecclesiastical; many grand ladies; and civic authorities in full strength. In short, this Act of Faith was as truly national as it could be made. France, too, was diplomatically represented; and so was Rome. All southern Europe assented to the deed, and another crime to be retributed was registered on high.

The Bishop of Cuenca preached the sermon. The prelates of Palencia and Zamora performed the ceremony of degradation on the clerks brought to undergo that last act of ecclesiastical authority. Then Valdés, Archbishop of Seville and Inquisitor-General, advanced to the King, and demanded of him the oath prescribed to "Catholic" sovereigns. The King rose, drew his sword, and brandished it bravely. Valdés read the form, thus:—"It having been ordered, by Apostolical Decrees and sacred Canons, that Kings should swear to favour the Holy Catholic Faith and Christian Religion, does your Majesty swear by the Holy Cross, with your royal right hand upon your sword, that you will give all favour that is necessary to the Holy Office of the Inquisition, and to its ministers, against heretics and apostates, and against those who defend and favour them, and against whatsoever person,

directly or indirectly, may impede the efforts and affairs of the Holy Office; and that you will force all your subjects and people to obey and observe the Constitutions and Apostolical Letters given and published in defence of our Holy Catholic Faith against heretics, and against those who believe them, receive them, or favour them?"\* Philip sincerely answered, "*Así lo juro.*" "Thus I swear."

We now turn to the victims.

1. *Don Carlo di Sesso*, native of Verona, son of the Bishop of Piacenza, of noble family, forty-three years of age, a scholar, long in the service of the Emperor, chief magistrate of Toro, married into a Spanish family that boasted descent from Peter the Cruel, had come to reside in Spain, in consequence of his marriage, at Villa Mediana, near Logroño. He was reputed to be the principal teacher of Lutheranism in Valladolid, Palencia, Zamora, and their respective districts. They arrested him in Logroño, and took him to the "sacred" prisons in Valladolid, where he answered to the accusation of the Fiscal on the 18th of June, 1558. On the day before this *Auto*, they told him that he must prepare to die; and exhorted him to confess whatever he had not disclosed, either respecting himself or others. In reply to those exhortations, he asked for paper and ink, and deliberately wrote a full confession of his faith; adding that the true doctrine of the Gospel was not that which the Church of Rome taught, and had taught through several ages of corruption, but that which he had then written; and affirmed that he wished to die in the same faith, and to offer up his body to God, through living faith in His Son, our Lord Jesus Christ. With indescribable vigour and energy he wrote full two sheets of paper without a pause. Through the whole night the friars laboured to get from him some word of submission,

\* Given by De Castro, in his *Spanish Protestants*, from a MS. by the Bishop of Zamora, above-mentioned; who recorded the special form as written by himself on the day preceding.



and again on the morning of the day, but without a shadow of success. He therefore appeared at the Sermon with a gag in his mouth, sat gagged during the whole ceremony, and was thus taken to the burning-place, lest he should speak heresy in hearing of the people. Then they bound him to the stake, removed the gag, and again exhorted him to confess. But with great seriousness, and in a loud voice, he answered, "If I had time, I would make you clearly see that you who do not follow my example condemn yourselves. But light up the fire as soon as possible that I may die in it." They did so immediately, and he died unmoved.

2. *Pedro de Cazalla*, brother of Doctor Agustin Cazalla. He had asked to be reconciled to the Church, but they refused him, because he had dogmatized, or taught. When bound to the stake, and while they were lighting the faggots, he begged permission to be confessed. They confessed him, strangled him, and burnt the body.

3. *Domingo Sanchez*, a presbyter, suffered the same penalty.

4. *Fray Domingo de Rojas*, Dominican and priest, a son of the Marquis of Poza, had shown some irresolution but was undoubtedly a believer in the Gospel. When leaving his seat to go to the place of execution, he attempted to appeal to the King, who drove him from his presence, and he went gagged to the stake. More than a hundred of his order followed him, entreating him to recant; but he persisted in an earnest, although inarticulate, refusal. Some of them chose to understand him differently; and, perhaps to boast falsely that he had made confession, the Inquisitors allowed him to be strangled.

5. *Juan Sanchez*, an inhabitant of Valladolid, had fled into Flanders, but was discovered, arrested by order of the King, and is now condemned to die. When the cords that had confined him snapped in the fire, he bounded in the air with agony. The

priests offered him mercy if he would be confessed; but he called for more fire, which was given, and thus he "kept the faith."

6—14. Besides these five, nine others were put to death that day. One, at least, would have recanted, if thereby she could have saved her life; but it was determined that she should die. Another, in despair, committed suicide, and her body was burnt. The King, be it noted, went from the scaffold to the quemadero, witnessed all the executions, and made his guard assist. There were sixteen sentenced to the *sambenito*, and still there were forty-five prosecutions going forward. One case occurred in connexion with this *Auto* which illustrates the inexorable spirit of the Inquisition, prevailing over those considerations of personal regard which might be expected to find place, sometimes, among the thoughts of even an Inquisitor.

When Doña Maria Miranda, a nun of the Cistercian convent of Bethlehem, Valladolid, was in the hands of tormentors, it escaped her that one of the sisterhood, Doña Marina de Guévara, a lady of high family connexions, partook of her opinions. Marina, perhaps apprehensive of such a disclosure, and not prepared by the grace of God to suffer martyrdom, went to an Inquisitor on that very day, (May 15th, 1558,) and laid what is called a spontaneous information against herself. The Inquisition invited such delations; promised indulgence to all who would bring them; and, in its own code, had laid down a general rule that, in every such case, the Inquisitor receiving the informant should "deal gently with him;" (*semper mitius se habendo erga eum, quia venit per se, non vocatus;*) and the Council of Beziers had determined that a spontaneous self-accuser should not suffer death, exile, imprisonment, nor confiscation of property if the confession was true and full. (*Pœnitentes et dicentes plenam de se ac de aliis veritatem, habeant impunitatem mortis immurationis, exilii, et confiscationis bonorum.*) Trusting

in the letter of the law, and unwilling to suffer for a merely intellectual persuasion, Doña Marina threw herself at the feet of the Inquisitor Guillelmo, and told him that she had admitted some Lutheran opinions as probable, but had never given them full assent, and desired to renounce them altogether. He proceeded, according to the rigour of law, to exact a judicial confession, which she made, and saw reduced to writing by a notary, and again, on the 16th, 26th, and 31st of the August following, returned to him with confidence, to make her voluntary additions, as her memory recalled the most trifling words that she had ever spoken on the points in controversy. But Guillelmo and his colleagues were weaving a net to take their prey.

All the persons whom she named were arrested and examined, and by this means her Lutheranism was made out to the satisfaction of the Inquisitors. They then removed her from the Cistercian convent to their secret prisons (February 11th, 1559), and subjected her to three more examinations, but without finding anything to be added to her voluntary declarations. Then the Fiscal (March 3rd) read to her twenty-three articles of accusation, most of which she acknowledged to be true, but pleaded that the propositions of those articles expressed her doubts rather than her convictions; and, by a petition duly signed by an advocate allowed her, she prayed for absolution. Again (May 8th) she applied for another hearing, and afterwards made some slight additions to her confession, which were duly ratified according to a judicial decree. A summary was then shown to her, with requisition to confess *the whole truth*, and to confirm what others had witnessed, but she had neglected to confess. Yet again she asked for an audience (July 5th), and declared that she had seen the "publication of witnesses" and thought that it must have been given to her rather than she might learn errors than be delivered from them; and that therefore she did

not dare to read it, lest some of them should remain in her memory. For the love of God she prayed them to believe her statement; for, in His sight, and on oath she had told them the whole truth, and could neither say nor remember any more. Her former declarations she repeated in a distinct paper, following it up (July 14th) with a petition to be absolved; or, if that were too much to ask, to be reconciled with penance. The abbess and five nuns of her convent certified on oath her "good religious conduct." Even the Inquisitor-General, who knew several of her friends, interested himself in her behalf; and, knowing the unfavourable temper of the Inquisitors of Valladolid, sent (July 28th) her cousin, Don Alfonso Tellez Giron, lord of the town of Montalban, and cousin of the Duke of Osuna, to entreat her to confess what the witnesses had deposed against her, and to tell her that by that means only she could escape death. She replied that it was impossible, without falsehood, to add anything to the confession already made. The judges were inexorable; and, being assembled with the consultants (July 29th), they all voted that she should be put to death, one only dissenting, who advised that she should be laid upon the rack. The Council of the Supreme confirmed their sentence.

Of this, however, she was not informed until the eve of the *Auto*, when the Inquisitor-General, still hoping to save her, sent Don Alfonso once more to advise her to confess all, and save herself from death. The provincial Inquisitors refused him admission, complaining that it was scandalous to display so much anxiety about a single nun, when many others had been killed for lesser faults. Valdés appealed to the "Supreme," who resolved that their president might be gratified, but that the Inquisitors, or one of them, should be present at the conference, together with her advocate. This was done, but Marina still refused to make a false confession, even to save her life; and she

therefore suffered the *garrote*, and her body was burnt. The sentence read at the *Auto* was remarkable, for all in it that is definite may be summed up in a few words:—That she had heard some one constantly repeat this passage, *Being justified by faith, we have peace with God through our Lord Jesus Christ*: she thought that it sounded well, and believed it, although she understood not in what sense. For this only she was put to death; and so unanimous were all others in the sentence that not even the Inquisitor-General could save her.

4.—SEVILLE, December 22nd, 1560.

The Inquisitors at Seville had hoped for the presence of the King at a second *Auto* in that city, as well as at Valladolid, but were disappointed, and therefore deferred its celebration until December the 22nd, 1560, when thirteen persons and three effigies were burnt, and thirty-four condemned to penance.

One of the effigies was of *Doctor Juan Gil*, or Egidius, a canon-magistral of the cathedral of Seville. He had been prosecuted for Lutheran opinions, and underwent imprisonment in the Castle of Triana. After that punishment he renewed his intercourse with the Reformed, and took a journey to Valladolid to see them, but soon died, and was buried at Seville. Among other discoveries in the course of their inquests, the judges of the Holy Office made that of his communion with the persons whom they were labouring to extirpate: they instituted a suit against his body, and caused it to be exhumed and burnt, together with his effigy. They confiscated his property, and declared his name infamous.

Another effigy represented the *Doctor Constantino Ponce de la Fuente*, also magistral-canon of Seville, a fellow-student of Gil in the university of Alcalá de Henares, and his successor in the canonry. With him he had laboured to promote the study of the Holy Scriptures, and, from the pulpit of the cathedral, to

elevate the standard of popular exposition. Profound learning and extraordinary eloquence brought him the patronage of the Emperor, who made him one of his honorary chaplains, and preacher. For several years he followed the imperial court in Germany. Vast congregations heard him in the cathedral of Seville; and his reputation as a philosopher, a theologian, and a Greek and Hebrew scholar, commanded universal deference. But his sermons abounded in propositions which were marked as Lutheran, and reported at the Inquisition, whence came spies to gather evidence, and contribute to the preparation of a charge. At length, some papers, written by his hand, were found in the house of a lady whom they had imprisoned for heresy, and these papers furnished copious evidence that his belief was in utter opposition to the Roman dogma. In a secret dungeon the papers were laid before him, and he not only acknowledged them to be his own, but defended the doctrines therein written, and steadfastly refused to say a word that would betray his brethren. Enraged and mortified, they threw him into a subterranean cell, damp and pestiferous, where he could scarcely shift his position for want of room, and where no relief was allowed him even for the necessities of nature. Oppressed beyond endurance, he exclaimed, "O, my God! were there no Scythians, cannibals, nor beings yet more cruel and more inhuman, in whose power Thou couldst have left me, rather these barbarians?" But life could not endure in such a place, and by an attack of dysentery he was delivered from their power. There was none to tell of anything concerning him in the hour of death; and all we know is, that he was one of a countless multitude of victims whose only perfect record is in heaven.

*Fray Fernando*, a monk of St. Isidore, suffered about the same time, for the same cause, and in the same manner; and was also represented by an effigy.

*The Doctor Juan Perez de Pineda* had escaped the

clutches of his persecutors by a timely flight, and they laid their vengeance on his effigy.

1. *Julian Fernandez*, a Spaniard, deacon, it is said, of a Lutheran church in Germany, was among the thirteen living victims. From the remarkable smallness of his person, he was known as *Julian el chico*—"the little." Dressed as a muleteer, exceedingly shrewd and active, he travelled between France and Spain, concealing books among the goods that he carried, and traversing the country, not only through Castile, but even into Andalusía, he delivered the principal works of the Reformers to persons of education and rank in several of the chief cities of Spain. His learning, skill in argument, and piety, were not less remarkable than the diligence and courage with which he baffled for several years all the vigilance of the Inquisitors; and, in hourly peril of the death which now befell him, had cheerfully hazarded his life for the sake of Christ. Great pains were taken to pervert him during his imprisonment. Relays of monks tried their skill, but to no effect. When a party of beaten disputants had left his cell, he would exult in their discomfiture, and cheer his fellow-prisoners by singing—

*"Vencidos van los Frailes, vencidos van ;  
Corridos van los lobos, corridos van."*

"There go the friars, there they run !  
There go the wolves, the wolves are done !"

The wolves tried the virtue of the rack, after argument had failed. But he gave no clue for the discovery of those who had aided him in his peculiar mission through nearly the whole length of the Peninsula. Lest he should spoil the decorum of this *Auto* by unwelcome speech, they brought him gagged. Two priests who knew the doctrine of the Gospel, but fought against conviction, came to persuade him to be confessed; but he sternly repelled them, reproving their hypocrisy with contemptuous frowns; drew a faggot of dry wood near his head, that it might help

to consume him quickly ; and by the grandeur and constancy of his faith, filled the spectators with amazement.

2. *Francisca de Chaves*, a nun of the order of St. Francis of Assisi, in the convent of Santa Isabel, in Seville, gave herself up to martyrdom. She had used great plainness of speech after her imprisonment, telling the Inquisitors, as our Lord told the Pharisees, that they were a "generation of vipers." Therefore they classed her as pertinacious, and burnt her alive.

3. *Nicholas Burton*, a citizen of London, had traded with Spain in a vessel of his own ; and, about two years before, being at Cadiz, was arrested by a familiar. His alleged offence was having spoken something contrary to the religion of the country, in conversation with some persons in Cadiz, and with some others in S. Lúcar de Barrameda. What that something was does not appear ; but the real cause of his arrest was his being owner of a fine ship, and, as the Inquisitors believed, of all the cargo, and other valuable property. Surprised at finding himself arrested without a word of accusation, he demanded the reason, but was answered only with threatenings ; dragged to the common prison ; kept in irons fourteen days ; and, not imagining himself to be there as a heretic, but on false accusation of some other kind, unconsciously supplied his persecutors with material for their purpose, by exhorting the prisoners to repentance, and explaining to them the word of God. Witnesses to his heresy being thus made, they conveyed him to Seville, laden with irons, and threw him into a secret prison in the Triana. There he must have lain for two years at least ; and now he was brought forth into the theatre, in the attire of an obstinate heretic, "his tongue forced out of his mouth with a cloven stick fastened upon it, that he should not utter his conscience and faith to the people ;" and whatever were the torments he had suffered, or the confession he made before his tormentors, we know



them not. Llorente found records to the effect that he was a contumacious Lutheran heretic; that he remained constant in his sect, and was burnt alive; the Holy Office of Seville taking possession of ship and cargo.

In hope of recovering that ship and cargo, a Bristol merchant, in part owner, sent his attorney, *John Frampton*, to demand restoration. Frampton spent four months in Seville in useless legal formalities, when the Spanish lawyers pronounced his powers insufficient, and he returned to England for a more ample commission. Being thus furnished, he landed a second time at Cadiz, where servants of the Inquisition seized him, set him on a mule, "tied him with a chain that came under the belly of the mule three times about, and, at the end of the chain, a great iron lock made fast to the saddle-bow." Two armed familiars rode beside him; and thus he went to Seville, alighted within the walls of the old prison, and was thrown into a dungeon, where he found some Spaniards under treatment for heresy. Next day he was interrogated as to his name, travels, calling, and relations; and, lastly, required to say the "Hail, Mary." His recitation did not include the Romish addition, "Holy Mary, Mother of God, pray for us sinners;" and this served for proof that he might be detained as an English heretic, that the course of law might be interrupted, and that the ship and cargo might be retained by the Inquisitors. After this he was racked, and at the end of fourteen months brought out wearing a *sambenito*. Burton saw his baffled advocate among the penitents, yet not knowing who he was; and Frampton, having seen Burton burnt alive, was taken back to prison for another fourteen months, and then released under the usual humiliating injunctions, with an obligation to abide in Spain. But a favouring Providence restored him to England, and he divulged the whole. He lost £760 cash, and understood—let this be well noted—

that the gains of the Inquisition by that single *Auto* were above £50,000.

4, 5. *William Brook*, a mariner of Southampton, and *Barthélemi Fabienne*, a Frenchman, were burnt on the same quemadero with Burton, Frampton being witness.

6-10. The reader may remember that a *mad woman* had given the first information of the Reformed congregation in Seville. Recovered from insanity, the poor woman regained enjoyment of religion, and died for it in this *Auto*, with *Leonor Gomez*, her sister, wife of a physician, and with *Elvira Nuñez*, *Teresa Gomez*, and *Lucia Gomez*, her unmarried daughters. One of these daughters was imprisoned first, but made no disclosure. The Inquisitor then tried a novel and horrible method. He had her brought into the audience-chamber, sent his subordinates out of the room, and professed that he had fallen in love with her—that he was resolved to save her life. Day after day he repeated the declaration, and at length persuaded the poor girl that he was indeed her lover. He then told her that, although she knew it not, her mother and sisters were accused of heresy by many witnesses, and that, for the love he bore to her, he desired to save them; but that, in order to effect his object, he must be fully informed of their case, under secrecy, that he might so proceed as to save them all from death. She fell into the snare, and told him all. His point was gained. Their conversation ended. The very next day he called her to another audience, and made her declare, judicially, what she had revealed to him in the assumed character of lover. That was enough. The mother and her daughters were sent together to the flames. *And the fiend saw his victims burnt.*

11-13. *A monk and two women* complete the list of those condemned to fire.

Enough of the *Autos* of this reign. They henceforth became ordinary spectacles, as familiar to Spaniards in the great towns as are bull-fights at this day. Each

particular Inquisition had its annual celebration, which was thought necessary to keep up a wholesome dread of the clergy, to fill the pockets of members of the tribunal, and to entertain the public. A rumour of heresy, or any sudden impulse of suspicion, cupidity, or even fear, would arouse the tribunal to special action, and add an extraordinary spectacle to the ordinary one for the year current.

Drunken with the blood of the saints and martyrs of Jesus, Popery ranged in this age over some of the fairest regions of the globe; its footprints everywhere trailed with blood. Spain, its most abject slave, was also its most ruthless agent in wreaking vengeance on the Reformation. But by this time Spain herself began to flag in the disgraceful service, and Spanish sovereigns and their servants had already done quite enough to provoke the indignation of mankind, and to make their own infamy indelible. By force of arms they had laid waste the fields of empire opened to them by Columbus in America, and stolen thence wealth enough to feed the pride, and enervate the strength, of a people made prematurely rich. They had murdered or banished millions of their best subjects. First, the Jews, the artificers and merchants by whose means chiefly the prosperity and intelligence of their country were maintained. Then the Moors, whose fathers made the lands of the southern half of Spain a garden, where now ruined palaces and castles, and a few highly-cultivated spots in Valencia, indicate the forsaken homes and the abandoned labours of an extinct people.

After all this, by death, or exile, countless thousands of real or suspected Lutherans were also lost to Spain; and only one institution was left that for a time, at least, could flourish, and that one was the Inquisition.







J. MARR.

J. BARCELON.

BARTOLOMÉ CARRANZA.



## CHAPTER XVI.

## SPAIN.

## CARRANZA, ARCHBISHOP OF TOLEDO, PRIMATE.

SWIFTLY did the retribution of God's providence overtake the guilty. While Philip II. was presiding at the murder of Christian men and women in Valladolid, one of his chief assistants in persecution, no less a person than the Archbishop of Toledo, Primate of Spain, had been for six weeks a captive of the Inquisition, and then lay in prison, in that same city.

Bartolomé Carranza was born of noble parents in Miranda, a town of Navarre, in the year 1503. In 1520, having made good advance in study, he entered a Dominican monastery in Guadalajara. As soon as he had professed, he was sent to Salamanca to study theology, and in 1525 became fellow of the college of St. Gregory, in Valladolid. But during this honourable career he allowed himself a greater freedom of thought than consisted with the required submission to his Church, and in 1530 a lecturer of his college delated him to the Inquisitor Moriz, who already suspected him of unsound opinions. Another friar also complained of him. He was examined, and censured for having defended some propositions of Erasmus, and spoken lightly of some vulgar superstitions; but his reputation was so well established that the Inquisitors did no more than record their examinations, and dismiss the case, which probably remained unknown to all except the persons concerned, and certainly was not remembered to his prejudice. Although it eventually became evident that there must have been a germ of Lutheranism in him, he



was not yet suspected of heterodoxy, and the rector and councillors of St. Gregory recommended him, in that same year, to the chair of Philosophy. In 1533 they named him Regent of Theology, and in 1534 they made him Regent-Major. Then he became Theologian Qualificator, or Examiner, of the Holy Office of the Inquisition of Valladolid, and in that capacity often acted. In 1539 he was raised to the General Chapter of his order in Rome, and with great credit assumed the dignity, passing through his inauguration with applause. Amongst other honours was that of permission to read prohibited books, conferred on him by Paul III.

In 1540 he was again in Valladolid, shining as Doctor of Theology in the professorial chair, generally esteemed for good qualities which become the clerical office, and so splendidly charitable, that on the failure of a harvest, he sold all his books—except the Bible and the Sum of St. Thomas—to feed the poor: and yet he had no charity for heretics! He now laboured incessantly in the Holy Office, examining processes, and, in his own house, censuring books that were sent to him from the Council of the Supreme. In the public square of the city he preached the Sermon at the first burning of a Lutheran, Francisco San Roman, in 1544; witnessed the martyr's patience, triumphant over fear of death; and heard his last remonstrance, "Do you envy me my happiness?" He became an eminent preacher of those bitter discourses. The bishopric of Cuzco, in America, was offered to him, but he refused it; and in 1545 took his place in the Council of Trent, as theologian of the Emperor, foremost among those who condemned the non-residence of bishops, and exalted the episcopate against the encroachments of the pontificate. He was one of the stoutest pillars of his Church in Spain. He spent three years in Trent, and at that time enlarged his reputation by appearing as an author. On his return to Spain in 1548, he was appointed confessor

to Philip II., to accompany His Majesty in Flanders and Germany; but he declined that honour also, and in 1549 refused the bishopric of the Canaries. He accepted, however, the priorate of the Dominican convent of Palencia, and there expounded St. Paul's Epistle to the Galatians; sometimes perhaps, unconsciously to himself, treading in the steps of Luther. In 1550 he was elected Provincial of Castile, and rigorously enforced discipline in his visitation of the monasteries of that province. In 1551, when the Council of Trent was opened a second time, Carranza was there again by order of the Emperor, acting as proxy of the Archbishop of Toledo, and perseveringly took part in all the sessions of the Council, and the business of its congregations.

To him was first entrusted the formation of an Index of prohibited Books, for which purpose large numbers of volumes were put into his hands. He examined the volumes, destroyed such as it pleased him to condemn, gave the "good ones" to the Dominican convent of San Lorenzo of Trent, and, on returning to Valladolid, devoted himself, with eminent zeal and application, to similar toils in the service of the Inquisition. Little could he have thought that, before the completion of that Index, his own name would be registered on the same pages with the names of men whom he was burning.\*

When marriage was agreed on between his King Philip and our Queen Mary, he came over to prepare,

\* By the care of the late Rev. Joseph Mendham, of Sutton-Coldfield, we have a literal reprint of that *First Index*. Under the letter T., "Auctores, quorum libri et scripta omnia prohibentur. *Thomas Cranmerus*." Under the letter B, "Certorum Auctorum libri prohibiti. *Bartholomæi Carranza Mirandensis Catechismus*." This Index was printed in 1560. In the last Spanish Index the same book is archived thus:—"Carranza de Miranda (D. Fr. Bartholomé) su Catechismo, en todo idioma, y Comentarios sobre el." He is quietly put down as a friar in the latter Index. In the former his proper title is suppressed, and he is made to appear as plain Carranza de Miranda.

in conjunction with Cardinal Pole, for the reconciliation of England to the See of Rome, and obedience to the Pope. "The King followed, and words cannot describe the labour of Carranza in favour of the Catholic religion. He preached continually; he convinced and converted heretics without number, and confirmed many waverers, answering their arguments verbally and in writing. In 1555 Philip went from London to Brussels, and Carranza remained with the Queen, to assist her in settling the Catholic doctrine in the Universities, and attending to other important objects. By order of Cardinal Pole, the Pope's Legate, he drew up the canons that were to be passed in a National Council. He was zealous for the punishment of several pertinacious heretics, particularly Thomas Cranmer, Archbishop of Canterbury, Primate of England, and Martin Bucer, a famous dogmatizer of the errors of Luther, which several times brought him within a little of death.\* In 1557 he went over to Flanders, to inform King Philip of what had taken place in England; and with the greatest earnestness collected and burnt books containing Lutheran doctrine. In Frankfort he did the same, by means of Fray Lorenzo de Villavicencio; an Augustinian religious, whom he sent for that purpose, dressed as a man of the world; and in Spain again, telling the King that such books were introduced by way of Aragon, which His Majesty communicated to the Inquisitor-General, that he might have them seized. With the same intent he formed a list of the Spanish fugitives from Seville and other places, who were living in Germany and Flanders, and who sent heretical books to Spain; which list was found among his

\* We shall not digress to examine this most improbable statement of Llorente. If Carranza was *thought* to have hazarded his life in labouring to suppress heresy, his claim on the Inquisition for favourable consideration ought to have been the more readily acknowledged, but all the world knows that, in the reign of Queen Mary in England, Protestants, not Papists, were the people who lost their lives on account of their religion.

papers, when they were all taken from him at the time of his arrest." Thus does Llorente set forth his merits.

On the death of the Archbishop of Toledo he was offered that see, the highest ecclesiastical dignity in Spain, but manifested such reluctance that it became necessary for Philip to command him by his obedience and fealty as a vassal to accept it; and that injunction was also found among his papers. On the 16th of December, 1557, his preconization took place in a consistory of cardinals at Rome; the Pope, Paul IV., having dispensed with the usual precaution of taking information from persons in his diocese, saying that such information was not necessary for Carranza de Miranda, whom he had intimately known in Trent, and of whose services in England, Germany, and Flanders he had such abundant intelligence. Carranza, therefore, was one of the last persons to be a prisoner in the Inquisition, and one of the most likely to wear a red hat or the triple crown. But all this time there were secret agencies at work to effect his ruin.

Many prelates had been offended by his insisting, in the Council of Trent, on the residence of bishops in their dioceses, and by his publishing a treatise on the subject. Many aspirants after honour were jealous of his advancement. On his nomination to the archbishopric, a monk of his own order, Melchor Cano, broke out into declared enmity, and so did Juan de Regla, confessor of Charles V. The Inquisitor-General, Valdés, partook of the same bitter feeling; as did Pedro de Castro, Bishop of Cuenca, and several others. They concealed their malice, but sought in secret how to humble him, and did not despair of finding some heresy in his writings or discourses plain enough to serve their purpose.

For some time past the Archbishop had been composing "Commentaries on the Christian Catechism," that is to say, on the Apostles' Creed, the Decalogue, the Lord's Prayer, and the Sacraments. The book was

printed at Antwerp, in 1558. The sheets were sent to Valladolid as they were printed off, and read with avidity both by friends and foes. Among the latter, Melchor Cano gave his utmost diligence to detect heresy, and declared in all companies that it was full of ill-sounding and dangerous propositions, smelling strongly of Lutheranism. The Inquisitor Valdés bought several copies, and put them into the hands of examiners, whom he charged to make notes privately, and keep silence for the present. To Castro, Bishop of Cuenca, it would seem that Valdés had made special request for a prompt report. Castro soon reported that there were Lutheran propositions under the title of *Justification*; that he had a very bad opinion of the belief of the author, for he had heard him speak in the same manner in the Council of Trent; and that, although he had not then believed that Carranza admitted error in his heart, he did *now* believe it; that the Lutheran propositions were many, and very frequent, betraying an inward sentiment in their favour; and that other circumstances, already explained to Doctor Antonio Perez, Councillor of the Supreme Inquisition, concurred to induce this judgment. The industry of the chief Inquisitor and his coadjutors quickly collected a mass of evidence to inculcate Carranza. Those Commentaries I have not seen, but should infer from the whole history of the affair, gathered from various sources, that, while the head of the Church in Spain was active in his endeavours to put down heresy, and diligent in his perusal of the writings of the Reformers, he fell, perhaps at first imperceptibly to himself, under the influence of truth.

De Castro said that he had heard him preach in London three years before, in the King's presence, when, in an apostrophe to the Saviour enthroned in glory, he spoke of justification by living faith in such terms as a Lutheran might have used. In other sermons preached in England he spoke heretically, said this reporter, concerning sin, and not respectfully

enough of the Bulls of the Crusade, which, he had imprudently stated, were on sale in Spain for two reals each,—“perilous language” to escape a man’s lips in England, and in the hearing of heretics. Some one had even whispered, after one of those sermons, “Carranza has preached just as Philip Melancthon might.” But if Carranza had continued a plain friar no one would have given those things a second thought.

Several persons were interrogated concerning what they had heard, seen, said, or thought of the Archbishop; but not much could be gathered from their answers. Some one, however, had heard some one say, that he had said that he “saw no clear proofs in Scripture of the existence of a purgatory.” Yet the same person thought that he must believe in such a place, because he had strongly recommended foundations to pay for masses for the dead. Many witnesses were examined on this point; but their testimony showed that Carranza expressly taught the purgatorial fable. Some, who had been in his confidence, stated that, having licence to read prohibited books, he had borrowed some things from them, and inserted them in his own writings; but was himself accustomed to observe that heretics mingled good and bad so artfully together, that even their good sayings were not to be trusted.

A Franciscan monk deposed that he had heard Carranza say, in a sermon, many things which coincided with other things that Lutherans were wont to say. He had affirmed that “mercy should be shown to converted heretics; and that sometimes persons are reputed to be Quietists, Alumbrados, and so on, if they be only seen on their knees, beating their breasts with a stone before a crucifix.” This very sermon was afterwards found among his papers, tested, and reported sound in Romish faith. One witness, when on the rack, said that he had heard Carranza say that if a notary were to come to his bedside when he was dying, he would bid him take his confession “that he

renounced all merit of good works, and only desired to avail himself of the works of Christ; and that his sins were as if they never had been, since Christ had made atonement for them all." Others confirmed this evidence by saying that they had often heard him use like expressions, but thought them admissible in a Catholic sense.

Fray Juan de Regla ran to tell that when the Archbishop of Toledo was at Yuste, visiting the Emperor Charles V. on his deathbed in the convent, he used Lutheran expressions concerning the pardon of sin; and that, when arguing in the Council of Trent, he had manifested a scandalous indulgence towards the Lutheran heresy on the sacrifice of the mass, and once went so far as to say, "I certainly agree." (*Ego hæreo certe.*) But other witnesses disproved this charge. Perhaps the most remarkable saying of Carranza was one that he addressed to the dying Emperor, exhorting him to trust in the merits of Christ alone. But everything that malignity could collect from common report, from persons under torture, or in the audience-chamber of the Inquisition, or from unguarded passages in his Commentaries, was thrown together; and as his dignity was higher than that of the Inquisitor, Valdés had a summary of the charges prepared, and sent it to the Pope, with a request that he might be authorized to make the Primate of Spain a prisoner. In compliance with this request, Paul IV., by a Brief, surrendered his friend into the clutches of the Inquisition; and his successor, Pius IV., who came to the Papacy before Valdés had accomplished his purpose, confirmed the Brief.

On receiving this confirmation from the new Pope, Valdés made an official record of his receipt of the powers, and the Fiscal of the Inquisition soon afterwards applied to him for permission to proceed, by virtue of that authority, against a personage whom he did not name, but whose name he would make known in due time. After some further formalities of office,

the Fiscal presented a second petition, setting forth "that Don Fray Bartolomé Carranza de Miranda, Archbishop of Toledo, had preached and pronounced, written and dogmatized, in conversations and in sermons, in his Commentaries, and in other books and papers, many heresies of Luther, as appeared from witnesses, books, and writings, which he presented, and promised to accuse him more in form. Wherefore he prayed that the Archbishop might be taken, shut up in secret prisons, and his property and revenue seized and placed at the disposal of the Inquisitor-General." Valdés consulted the Council, and the Fiscal was ordered to prepare the documents, which was done accordingly.

Everything being thus made ready, Valdés consulted the King, who had previously consented to the proceeding, and only required that when the *person* of Carranza came into their power, his *dignity* should be respected. Still, there was much familiar correspondence between the King and Carranza, as well as with Valdés; and while the subject of persecution had sufficient information to expect severe censure, he had no reason to apprehend any personal suffering. To expedite the matter, some more witnesses were found, and a stronger case made out. The Fiscal then repeated his application to seize Carranza, and put him under arrest.

The Inquisitor-General (August 1st, 1559) decreed permission to the Fiscal to imprison the Archbishop. King Philip had written to his sister Juana, Governess of Spain in his absence, desiring her to call the Primate up to court under some decent pretext, and let him be there taken into custody, to avoid the scandal and trouble of executing an order of the Holy Office at his residence in Alcalá.\* A false report was therefore circulated of the King being on his way to

\* Up to this point Llorente is the chief authority. Adolfo de Castro, in his *Spanish Protestants*, furnishes the circumstances of Carranza's imprisonment, from evidently authentic sources.



Spain; and the Princess Juana herself wrote the Primate a letter, desiring him to hasten to Valladolid, where the court then was, to await the arrival of His Majesty. The cold and treacherous lie, told in the service of the Church, was no doubt considered highly meritorious.

Scarcely had the morning of the 9th of August begun to dawn, when Rodrigo de Castro, brother of one of Carranza's capital enemies, bearing the royal letter, alighted in the town of Alcalá de Henares, at the gate of the archiepiscopal palace, and hastened to put the letter into his hands. He read that the Princess wished to see him at Valladolid as soon as possible; desired him not to wait for his usual equipage, but to travel with all speed; and promised that everything necessary for his public appearance should be provided at his lodgings. He instantly prepared to travel, and ordered a solemn procession to be made, next day, to pray for the safe arrival of the King. De Castro, however, was so much fatigued with his rapid journey, that he had to lie in bed for some days; while Carranza, after the unpleasant correspondence which had taken place, had not much heart to expedite his departure. He did not believe, perhaps he did not suspect, that such danger was so near; yet he was not very unwilling to let a few days pass while the messenger recovered, that they might set out together, and perform the journey with such comfort as might be, and with decorum.

Just a week after the arrival of this De Castro, another messenger came to Alcalá. It was the chief officer of the Inquisition of Toledo, who immediately visited the Archbishop, telling him that Don Diego Ramirez, Inquisitor of that tribunal, would arrive that very night, to publish an Edict of the Faith; and Carranza instantly caused proclamation to be made for celebrating it in the Church of San Francisco. The Archbishop himself was to preach the sermon, and a vast congregation assembled in the church. The

hour for the sermon being come, the Primate ascended one pulpit, and the person appointed to read the edict occupied another. The person who represented the Inquisitor—for Ramirez himself had disappeared—sent a message desiring the reader to wait until after his reverence should have preached. Carranza delivered the sermon with great earnestness, exhorted the people to obey the edict, by informing against all whom they suspected of heresy, and eloquently descanted on the good that from such obedience would redound to their souls. The edict was then read; but it was afterwards remarked that it contained no reference to prohibited books, which silence was thought to have been respectful to the dignity of the Archbishop, whose person was so nearly in their power.

After a delay of eight days, the illustrious prisoner and his disguised keeper set out from Alcalá. The Archbishop had now arranged to stop at some places by the way, for the purpose of holding confirmations.

At Fuente del Saz he met with Fray Felipe de Menezes, a professor of one of the colleges of Alcalá, who called him aside, told him that a rumour was current in Valladolid that the Holy Office had resolved on arresting the Archbishop of Toledo; and advised him, as Providence had allowed him intimation of the report, either to return to Alcalá, or to hasten to Valladolid without delay, where, perhaps, he might find some way of extrication from the threatening peril. To this he is said to have replied that such a rumour was incredible—that the Princess herself had summoned him, and sent Don Rodrigo de Castro to convey her desires. And he could appeal to God, he said, to witness whether at any period of his life he had been tempted to fall into any error, the cognizance of which could, in any way, pertain to the Inquisition. On the contrary, God had made him instrumental to the conversion of more than two millions of heretics.

On Sunday, August 20th, in the morning, the Archbishop reached Tordelaguna; and there was

Father Master Fray Pedro de Soto, who told him that his correspondent, Fray Luis de la Cruz, had just been arrested in Valladolid. "What do you say, Father Master?" answered Carranza, in surprise. "Then, according to this, I suppose they will also wish to make *me* a heretic?" Fray Pedro assured him that, in fact, Inquisitors had already quitted Valladolid to take him. And he left the Archbishop in great perplexity.

It was too true. The men were actually present. During four days the chief alguacil of the council of the Inquisition had been concealed in an inn at Tordelaguna; he lay in bed by day, and at night had gone with two servants on horseback, in disguise, to visit Rodrigo de Castro at Talamanca. Having returned, he hid himself in the inn again. He had also sent to Alcalá, and informed Diego Ramirez that he was there in readiness; and Ramirez, in order to complete the plan, pretended that he had an urgent call to Madrid, hurried away from Alcalá, and joined him. This departure caused a great stir in Alcalá, which was increased by the distribution of twenty wands of justice to as many men, who were mounted on horseback, and led out of the town by a servant of the Inquisition, none of them knowing whither or wherefore. Ramirez travelled by devious roads, impressing others into the same service as they went; and on Tuesday, 22nd, at daybreak, a party of nearly a hundred men were within half a league of Tordelaguna. These men were exhorted to obey the Holy Office, and be constant to it in what they were about to do; but they had not the slightest intimation of what that would be. Tordelaguna was the chief of three towns, all under one jurisdiction; and it would appear that the Archbishop continued there, in the discharge of his functions, during the whole week, knowing that imprisonment awaited him in Valladolid, and afraid to seem to flee by turning out of the road, which would cause the Inquisitors to treat him as a fugitive.

On the Sunday night, 27th, Rodrigo de Castro supped with the Archbishop; and, under pretence of fatigue, left early, went to his own host, and arranged for impressing a dozen more assistants. He then returned privately, and bade Salinas, host of the Archbishop, have all the doors of his house open at break of day. About one o'clock, Rodrigo and his servants went to the house of the governor of the three towns, who had married a sister of Carranza, entered, seized the governor, and left him a prisoner under guards. So did they with all the civil authorities, and no civil authority durst resist them. These doings kept them busy until day-break. By that time Ramirez and his company were arrived; so that a strong body of men, impressed into the service of the Inquisition, stood ready to earn merits by doing as they might be commanded.

Ramirez, De Castro, the alguacil, and a few men with wands, went up stairs, and knocked at the door of an ante-chamber, where a lay friar, in attendance on the Archbishop, was sleeping. "Who calls?" cried the friar. "Open to the Holy Office," said they. Instantly the door was open. Leaving the guards there, they walked through to the chamber of the Archbishop, knocked at the door, and when he called, answered again, "The Holy Office." "Is Don Diego Ramirez there?" asked he; and, on hearing that he was, he bade a page open the door. Rodrigo entered first, approached the bed, knelt on one knee, and begged his reverence to give him his hand, and pardon him. Then he beckoned to the alguacil, who came forward, and said, "Most illustrious señor, I am commanded by the Holy Office to make you its prisoner." "Have you orders to do that which you are now undertaking to do?" "Yes, señor." And he produced and read an order of the Inquisitor-General, and the Council of the Inquisition. "But these gentlemen are not aware that they cannot be my judges; being, as I am, by my dignity and

consecration, immediately subject to the Pope, and to no other person." Then Don Diego advanced, saying, "On this point your reverence shall have entire satisfaction;" and, drawing the Pope's Brief from under his robe, read it. It was unanswerable; and the Archbishop surrendered himself without another word.

In obedience to the wish of Philip, they refrained from insolence of language, but made him feel the humiliation and bitterness of his new condition. The remonstrances of a few faithful servants were soon silenced. They kept him under arrest that day, and the next midnight set him upon a mule, and a party of armed familiars conducted him out of the town. On entering Valladolid, he begged as a favour that he might be lodged in the house of a friend, a principal inhabitant of the city, and was told by De Castro that his desire should be gratified. He was taken to the house, and at first, could scarcely believe himself a prisoner. But restraints multiplied: the building had been previously bought by the Inquisition, apparently for this very purpose; and the shadows of an impenetrable secrecy soon closed round the captive.

The Inquisitor-General and his Council proceeded to the usual ceremonies of examination; but he refused to acknowledge their jurisdiction, and appealed to the Pope. They claimed power by virtue of the Brief; but he maintained that when that document was granted, authorizing the prosecution of suspected archbishops or other prelates in Spain, there was neither archbishop nor other prelate in Spain suspected of heresy; that at that time, he was not in Spain, but in the Netherlands, labouring for the extirpation of heresy, and the exaltation of the Church; and that, therefore, the Brief could not possibly have reference to himself. For this reason he refused to answer any question, or, by any act, or any submission, to acknowledge the jurisdiction of Valdés, even as a delegate of the Pope, because he was his enemy; and the letter

of inquisitorial law allowed a prisoner to object to the evidence of a known enemy.

The elevation of his rank, the confusion and obscurity of the answers given by witnesses, the favourable judgment of his Commentaries on the Catechism already pronounced by many of the most eminent Spaniards, and a serious division of opinion in the Supreme Council, concurred to deter the Inquisition from proceeding in this case as if it were that of an inferior person. They even feared the effects of popular indignation, if they should dismiss the cause without being able to make out a justification of their conduct in beginning it. Nearly a hundred new witnesses were examined, but without any definite result; and Carranza, by his advocate, Azpilcueta, had appealed to the Supreme Pontiff. Year after year passed away in litigation and delays, he being still in custody; and, meanwhile, the Council of Trent, in spite of the remonstrances of Philip, had appointed a Commission to examine his Commentaries, and received a favourable report. In short, the question became one of relative powers; the Court of Rome claiming jurisdiction on one side, and the King and Inquisition of Spain on the other.

At length the Pope superseded Valdés, by appointing a coadjutor to act for him, on pretence that his age rendered him incapable of doing the laborious duties of Inquisitor-General; forbade him to take any further part in the affair of the Archbishop of Toledo, and revoked the cause to be tried in Rome. Rome could no longer be resisted altogether; and although the Inquisitors would not obey the Pope by setting him at liberty without requiring any security for his further appearance, they allowed him to be conveyed to Rome as their prisoner.

Conducted by a strong military escort, he left the prison in Valladolid, after a confinement of six years and a quarter, and embarked at Cartagena on the 27th of April, 1567. After some delay in that port,

the ship sailed, and Carranza was on his voyage in company with several Inquisitors, who went to make the best of their case against him, and with that notable personage, the Duke of Alva, in the chief cabin, until they reached Genoa. Thence to Civita Vecchia. There the Archbishop landed, amidst proofs of great care for his safe keeping; and bearing such marks of honour as could be allowed to a captive wearer of a pallium, he was taken straightway to the Castle of St. Angelo, the state prison of Rome. In that castle he lay until the 14th of April, 1576, when a persecution and imprisonment of seventeen years was brought to a close by the tardy resolution of Gregory XIII., then in the fourth year of his pontificate. Carranza abjured Lutheran articles which there was no proof that he had ever held. He submitted to a suspension of his functions as Archbishop, to the discharge of which his constitution, impaired by suffering, and worn by age, was no longer equal. He had, after all, the satisfaction of seeing the Spanish Inquisitors mortified by incessant manifestations of disrespect, during protracted investigations in secret consistories, in the presence of Pope and cardinals; behind whose seats they were compelled to stand, day by day, week after week. Completely acquitted of even the suspicion of heresy, he solemnly said mass, in token of reconciliation with the Church that ought to have crowned him with honours, if it were only for his zeal against those whom his Church persecutes; and then, almost as soon as he had received the congratulation of his friends, and witnessed, in his own case, a trifling triumph of the Court of Rome over the Court of Madrid, he died.

Although he had been active in the service of the Inquisition, he does not appear among the most brutish of its tormentors, nor the most unreasonable of its judges. There was a dignity in his character which at once commands respect, and causes wonder that such a man did not revolt from the enormities he

witnessed, nor shrink with horror from the crimes to which he consented, and the guilt he shared. How far he repented of the crimes thus made his own, God only knows. Among the witnesses to his honour during the brief period of his life after the release from prison, we have M. De Thou, the eminent historian of those times; who says that he saw him in Rome a little before his death, and that he was a man most worthy to occupy the high station to which he had once been raised; most worthy on account of great learning, integrity of life, and sanctity of manners.\* But could this Primate of Spain ever forget, during those seventeen years of incarceration, prostrate dignity, and sickened hope, how, in the days of his prosperous estate, he had sat in cruel judgment over the Primate of England, and witnessed his yet greater learning, his fearful conflict, his momentary weakness, his grand confession at the last, and his glorious martyrdom? Who would not rather die the death of a Cranmer than linger through the blighted life of a Carranza?

This affair serves to unveil the malignity of private passion, the jealousy of disappointed candidates for office, and of ecclesiastical factions in the dark secrecy of the Inquisition, even in contempt of the dignities and reputation of the Church herself; and I have dwelt on it the longer as it marks a period when the furies of this horrible tribunal were beginning to be exhausted by their extreme intensity, and when the beginnings of a constitutional reaction against sacerdotal haughtiness took place in Spain, which I now proceed to trace onward to our own time.

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\* JAC. AUG. THUANI *Hist.* xxvi. 14.



## CHAPTER XVII.

## SPAIN.

## EARLY DECLINE OF THE INQUISITION.

So terrible an institution could not always retain undisputed power. The people of Spain could not be continually persuaded to hate their fellow-creatures, whether of their own country and religion or not. Even the Congregation of the Inquisition in Rome already saw the animosity of Romanists in France so far diminished, that it was impossible to burn heretics as aforesaid; and therefore they concurred in a general purpose—if not actually in the plot—to destroy the Huguenots by some stroke of state or secret conspiracy. This was brought to pass in the great massacre of St. Bartholomew.

In Spain itself, so little of Lutheranism remained, and at this time so feeble were the vestiges of Judaism and of Islam, that there was no object conspicuous enough to serve as the butt of popular bigotry, and keep up the splendour of periodical processions and martyr-fires. Consequently, the Inspectors of the Faith were driven to frame new expedients; and people, having time and temper for consideration, became persuaded, although by slow degrees, that the existence of such a tribunal was incompatible with the exercise of civil rights, and at variance with real Christianity. Contentions between it and the civil power were frequent; and in the conflicts that continued for two centuries and a half after the great *Autos* of Seville and Valladolid, the advantages were sometimes with one party, and sometimes with the other. We hasten rapidly through this period, avoid-

ing consecutive narration, and only marking the more characteristic incidents.

The transatlantic and insular dominions of the Kings of Spain, as we shall observe in the proper place, were brought under the rule of Inquisitors; but, at home, the confusion between civil and ecclesiastical authorities began to appear in the multiplying difficulties of inquisitorial administration.

The Inquisition multiplied these difficulties more and more, by its own insatiable thirst for power, and greed of spoil. So did kings and courtiers. Philip II., and the Spanish Inquisitors, ill content that on the high seas there should be any respite from the thralldom—now extended over both hemispheres—schemed for the establishment of a Naval Tribunal that should watch over every sea, and plunge heresy into its depths. They prayed the Pope to sanction its establishment, and Pius V. lost not a moment in granting the necessary Bull (July 27th, 1571) for creating an “Inquisition of the Gallies,” or, as it was afterwards called, “of Army and Navy.” The Inquisitor of Spain saw the oceans added to his dominions, with fleets as well as camps placed under his control. In every seaport a commissary-general visited the ships, took an official declaration from every captain that there were no prohibited books on board, nor any object that looked heretical. Or, if there were any such, he seized it, if portable; or, if it could not be carried away, he took ashore a note of it. The bales of merchandise also underwent examination, that they might be cleansed of every heresy-infected object.

This marine inspection flourished grandly in Cadiz, chief seaport for commerce with the transatlantic west. The Visitor of the Holy Office, with notary, alguacil, porter, and a company of men ready for any service, put off to visit every ship outward bound, and went again to search it on arrival from abroad. Soon as his reverend feet touched the deck, a salute proclaimed

him present. First of all, he and his train descended into the chief cabin, and found refreshment of all sorts. A handsome fee was ready, on his giving a certificate that the ship was clear of heresy, and might either proceed on the voyage, or land the cargo, as the case might be. Oftentimes, when matters were suspicious, handsome presents bespoke favourable and quick dispatch. The attendant familiars, being generally commercial men, made advantageous purchases for themselves, and having fulfilled their service to the Church, found the boat ready for use in their own, and returned merrily to shore, with their tonsured chief. But respectable merchants became impatient of the new system, and made a bargain with the Holy Office, through the Custom-House, to have their ships exempt from direct visitation. This arrangement lasted for a time, but at length fell into disuse. The captains, too, accustomed to command their own crews, found the ships' duty interrupted by the meddling of chaplains. A strange sail hove in sight, or the wind freshened, while able-bodied men were between decks, undergoing priestly inspection. Of course the spiritual inquest was cut short at such times, and the Inquisitor-General soon heard that the interference of his agents on the high seas hindered navigation. So the marine tribunal came to nought.

In Galicia, where the Inquisition had been inactive for a year, it bestirred itself (A.D. 1574) to enforce an edict of the Supreme, published two years before, forbidding trade on the frontiers in saltpetre, sulphur, or gunpowder, lest those articles should come into the hands of heretics abroad, and be used by them as ammunition wherewith to do battle against "the Catholic faith."

Encouraged by the favour of the King, some zealots projected the establishment of a new military order, under the immediate direction of the Inquisitor-General, to be called "St. Mary of the White Sword:"—the sword of St. James was *red*, to show

blood. To the Director they would give entire possession of the property of all members, and absolute control over their persons. The new legions would fight against all heretics, real or suspected, and be free from royal control. The scheme was accepted with enthusiasm in no fewer than eleven provinces; and an army was just on the point of starting into life, when a patriotic gentleman, Don Pedro Venegas, of Cordova, represented to the King that the Inquisition had been, as yet, diligent enough in taking care of the Church; that the regular forces were able to defend the State; that if any extra service was to be performed, the existing military Orders would be forthcoming; that so formidable an armament, under control of the Inquisitor, might join the King's enemies, or be in itself strong enough to overturn his throne. In short, the Cordovese patriot brought such a weight of argument against the scheme, that His Majesty appointed a Commission to examine it, in conjunction with the Royal Council; and as they could not agree to recommend its adoption, he was for once wise enough to foresee the evil, and refuse to give sanction to a St. Mary of the White Sword.

While the Spanish Inquisitors were experiencing these reverses, they were persecuting eminent ecclesiastics who, some in the Council of Trent, and some in Spain, had given judgment favourable to Carranza; and, of course, made themselves enemies within the bosom of the Church.

Those enemies threatened, and even endeavoured to convict, the most respected lady in Spain, now adored as "The Glorious Mother, Santa Teresa of Jesus." She trembled for the consequences of their censure; but, by a witty antiphrasis spoken in season,—for she called them *angels*,—by flattering submission, and by help of some external influence besides, she conjured the spirit of the rising storm.

They went further still, and waged open war on the Society of Jesus. Several members of that Society,

whether disgusted with its evils, or weary of its discipline, delated their Provincial and some of the more eminent fathers to the Holy Office at Valladolid. Their information gave the Inquisition an opportunity for the display of power. The Provincial, Marcenius, was arrested with some others (A.D. 1586). The Society were required to produce their rules, and all documents relating to the internal management of their affairs to be examined by the Triers. Their discipline, studies, morals, all were subjected to a searching investigation. Aquaviva flew to Rome, and implored the Pope to interpose his supreme authority, and save the Society. Sixtus V. heard the prayer, and commanded his Nuncio at Madrid, to espouse the cause of Jesuitism. Philip II. inclined to favour them. Sixtus revoked the cause to the Apostolic See; and after a hot war between the two strongest legions of the Papacy, they were set at peace with each other, and directed to turn all their weapons against their most hated enemy, evangelical Christianity.

If the influence of England had been at this time given on the side of religion and humanity, it would not have been altogether ineffectual. But when James I. came to the throne, he found scope for the indulgence of his Romeward longings in every negotiation with foreign princes, and especially with the Pope, the worst enemy of our country. Had Queen Elizabeth been yet alive, and in her vigour, when a treaty of peace was to be concluded with Spain, she would no doubt have insisted on the exemption of Englishmen, when sojourning in those dominions, from the authority of the Inquisitors. For such was the spirit of an article in a former treaty, which engaged that they should not be troubled for conscience sake (*ex causâ conscientie*); and she would have guarded against evasion, so far as possible. But when she was on the verge of the grave, her ambassador in Spain agreed with that dragoon, the Duke of Alva, to a "secret article;" which was afterwards inserted in the treaty, and ratified in the second year of James.

Alva dictated or consented to the following:—

“In the first place, if they shall have committed any excess before coming into Spain, they shall not be subjected to inquisition, nor be put to any trouble on account of such excesses committed out of Spain, nor shall they be required to give any account or reason of them.”

Alva, Philip II. of Spain, and James I. of England, thus agree in setting down as an *excess*, even in England, any bold profession of the truth against Popery. So much for a Romanising King.

“In like manner, if they do not choose to go into the churches, no one shall compel them to do so. But if they do enter, they must perform the bow and reverence to the most holy sacrament of the Eucharist that is there. And if they shall see the most holy sacrament coming through a street, they must render it the same reverence by falling down upon their knees,\* or else turn into another street, or go into a house out of sight.”

This is literally a copy of what the Moors were required to do, before their expulsion from Spain, on peril of heavy penalties. The Englishman who would not worship the host, even though it came on him where there was no way of escape into another street,—where there might be another host approaching,—or no admission by a door into any house, for the door might be close-barred, and no one within hearing to

\* On the church of S. Salvador, in Seville, there is an inscription on a marble slab, of much later date. I saw and copied it in 1838. “The King Don John. Law 11. The King, and every person who meets the most Holy Sacrament, must get off his horse, even if it be in the mud, under penalty of six hundred maravedises of that time, according to the laudable custom of this city, or he must lose his horse and its furniture; and if it is a Moor, over fourteen years of age, *he must go down upon his knees*, or lose all the clothes he has upon him, that shall be given to any one who may accuse him.—This stone was put up by the High Brotherhood of the Most Holy Sacrament of this Collegiate Church, in the year 1714.”

open it; was now, by King James's treaty, to be locked up in the Inquisition.

"Also, if any such persons being masters, or mates, or other officers of ships which are not their own, shall commit any excess; when the Holy Office proceeds against them, their own goods only shall be sequestered, the ships remaining free, as well as any property that may belong to other persons. And the same is to be understood of traders and their agents."

But what is an excess? It may be a word, a gesture, a glance, the most trifling action at which any Spaniard may choose to take offence. It may be a prayer overheard, or an unguarded answer given to any artful question put by a familiar or spy. Be it what it may, for anything called excess, King James in his wisdom consigned Englishmen, their property, and their life too, to the rapacity of these most savage of all persecutors in a strange land.\*

This disgraceful article caused deep dissatisfaction in England at the time; but the King and his ministers used their utmost ingenuity to explain it away. Better conditions, they said, could not be got. Some temporal advantages were gained for merchants who would leave religion and conscience clear behind them; and it was necessary for England meekly to consider how much the King of Spain laboured to *endear himself* to the See of Rome.

King James had no thanks for the surrender of his subjects, and almost the surrender of his kingdom, in hope of a conciliation with Rome, as the Gunpowder Plot very soon proved. No sooner did that affair pass over, than Jesuits and Inquisitors everywhere, but nowhere more than in Spain, renewed their operations. Their first efforts were directed to the suppression of Protestant worship in the house of the British ambassador in Madrid; of which Sir Charles Cornwallis, then occupying that humiliating position, complained in a despatch to the Earl of Salisbury and

\* WINWOOD'S *Memorials of Affairs of State*, ii., 29, 38.

the Lords of the Privy Council. The Jesuits, said His Excellency, obtained reports of the English sermons delivered, and made unceasing applications to the Inquisitor-General to proceed against his chaplain, and to interfere with the members of his family. Extreme, perhaps excessive, caution on his own part, and probably a more far-sighted policy in the Inquisitor, with whom Sir Charles condescended to have frequent correspondence, prevented the attainment of their object at that time; but what with priestly perseverance, and what with the weakness of King James, their point was gained; and the English visitor at Madrid sought in vain the means of worshipping God with his own countrymen in that city on the Lord's Day, even on ground which ought to be an inviolable sanctuary for British liberty.

Our Ambassador, however, was in earnest, and his efforts were not quite fruitless. The private article in the treaty with the Spanish King concerning the Inquisition was dated in London, September 2, 1604, and intelligence of its purport could not have been long received in Madrid when an occasion occurred for laying some restraint on the zeal of Inquisitors in the provinces.\*

On Wednesday, October 20th, of that year, the Holy Office of Seville proclaimed a general Auto-de-Fé for Sunday, November 9th, not apprehending the least difficulty in carrying their purpose into effect, and perhaps they did not believe that any power in the world was capable of preventing them. Yet portents of trouble met them at the outset. There *were* difficulties existing, but known only to a few in the higher regions of political society. Among the necessary preparations

\* I take this account from a manuscript in the British Museum (Papers relating to the Inquisition in Spain 21,447), having this title:—*Carta de Bernardino de Escalante, Presvitero, Administrador del Hospital del Cardenal, en Sevilla; Hermano mayor de la Cofradia de los Familiares del Santo Oficio; fecha en 10 de Noviembre de 1604. En que refiere la suspension del Auto de Ynquisicion, publicado para el día 9 de Noviembre; la qual el Ynquisidor Dn. Fernando de Azebedo remitió al Ynquisidor General.*



for an Auto was a notice to the Cardinal Archbishop of Seville that the Council of the Inquisition had determined to have one on a certain day. But Cardinal Guévara, for fifty days previous, had seen it good to be out of the way, and when the "visit" \* found him somewhere among the vineyards, he coolly answered to the invitation to be present, that if his many engagements permitted, he might be on the platform, but he expected to be too busy. His unwillingness to be there was accounted for by the fact that he would only be able to occupy a *second* place, without the ornaments to which his high rank entitled him.

But Holy Office was the Supreme power in Seville, and the Inquisitors, caring nothing for the Cardinal Archbishop's absence, proceeded to clear the way over the bridge of Triana, and in the streets of the city to be traversed by the fatal procession. A grand Theatre was erected in the Plaza de San Francisco, a spacious square, surrounded with lofty houses, and forming an unusually magnificent site for the spectacle.

A new Society—the Confraternity of Familiars—which the reader of this volume may observe has not been mentioned in preceding pages, had been recently established in Seville, and was eyed with profound jealousy by all the older brotherhoods, and with more than jealousy by the population in general. But the familiars, who professed to consider their business to be very holy, entered into it with the alacrity which might become persons conscious of a divine vocation, and yet so proud as to hold themselves quite superior to the suspicions or the jealousy of worldly men. But with all their self-complacency they had no easy time of it. The usual procession of the Green Cross, of which we shall read a full account presently, was much disturbed and spoiled by a disagreement between the Dominican and Augustinian friars. Then a crowd of "Religious," who ought to have walked behind the

\* What the visit was may be seen in Chapter XI. on the Auto in Granada.

cross, absented themselves, and their place was to be awkwardly supplied with four hundred familiars, members of the New Brotherhood. The *caballeros*, too, felt themselves much insulted by being placed too low in the order of procession. Don Fernando Acebedo, Inquisitor of Seville, could not satisfy them, and the Cross, which a very great man should have carried, was confided to an individual of comparatively humble rank, one certain Lobo, Administrator of Salt, and familiar of the Holy Office.

In the absence of the old monastic orders came the Jesuits,—no favourites of the public,—although exempt by privilege from acting on such occasions, but they graciously filled up vacated places, and it suited their nature to fish in troubled waters. Their presence highly offended the Dominicans, and the familiars openly called it a *donosa impertinencia*, which may be translated, “a pretty piece of impudence.” Escalante, our informant, being Senior Brother of the Familiars, proposed that the preacher for the occasion should not be a Dominican as usual, and in fact, the Bishop of Murcia was called in by the Holy Office to preach *the Sermon*. Such were the divisions. The house was cracking before its fall. If there was one Bible reader there, he might have thought of Him who said of the people of a greater city than Seville, “Go to, let us go down, and there confound their language, that they may not understand one another’s speech.” Such was the state of things when night closed in upon Saturday, the 8th day of November, 1604. I translate the original account of what followed:—

“At night-fall the Council withdrew to apply themselves to the necessary business of the approaching judgment. They appointed the Confessors and Penitentiaries whom the case of the *Relajados* required, and sent them into the dark prisons of the Castle. But Don Fernando de Acebedo (Inquisitor of Castile) went to his own house, and I (Escalante) went with him, because I wished to be in his company through

the night. We supped, and separated to go to bed, foreseeing the embarrassment of the morrow. But we had not time to lie down and endeavour to forget the cares of the present hour, when the clock struck eleven. We had just gone into our bed-rooms, and were not yet half undressed, when there came a courier on horseback, sent from His Majesty to the Chief Inquisitor, and seeking for the lodgings of any Inquisitor in Seville. He found the dwelling of Don Fernando, who instantly ran out to meet him, half undressed as he was, took the despatch-box, and ascertained that '*He is sent by the General Inquisition to the Inquisitors of Seville, or to any one of them, whether they are in their houses, or in their beds; in their Council, or on the Theatre conducting an Auto de Fé. He is to enter, and must enter; he is to go up stairs, and must go up; he is to ask a certification of the receipt of this dispatch, and must ask it. He left on Wednesday, the fourth of November, in the year one thousand six hundred and four, at eleven o'clock of the night.*'

"A message so exactly instructed, an errand so swift, such extraordinary care—all betokened something uncommon. Don Fernando questioned the courier: 'When did you leave?' His answer corresponded with the despatch. 'When did you arrive?' 'Sir, I came about an hour ago.' 'Then, what has delayed you?' 'I waited for them to open the gates, for they were all well shut and guarded.' 'Did you come to this castle direct?' At this, much agitated, he answered '*Yes!*' By this time all was clear, and I could tell the cause of the agitation. 'Who sent you?' 'Sir, the Chief Postmaster. Some gentlemen, whom I did not know, brought me the letters.'

"Don Ferdinand might have read the despatch alone, but he sent for the President of the Tribunal, Llanos de Vadez, and the Secretary. These called up the Council, who heard it read, and determined that there could be no Auto next day, for the King forbade it to be held. It was, indeed, suggested that, as the

order of suspension came only from the King, who could not be acknowledged to have authority over the Inquisition, the Inquisitor of Seville might pass it by, and hold the Auto just the same as if the prohibition had never come. But this proposal was overruled. They dismissed the Confessors from the prisons where they were exhorting the penitents to return to the Church. They then informed the heads of the Church and of the city, and also the Audience of the Cardinal, who had all been invited to be present. They told them that the Auto was suspended, but said nothing of the author of the suspension.

"This was a very grave matter. Pious and Christian minds were perplexed and filled with tender grief for the distress, pain, and confusion of those who had been delivered unto death, and attended by Penitentiaries; for when they came to know of this determination of the Council in their cases, which is the first thing made known in these Acts, they would be filled with fear, and after the sudden intelligence, and the removal of the Confessors, their fear would be changed into anxiety, their imagination would be excited by the sudden change, and all this variety of fears and terrors would either drive them mad, or plunge them into despair; or, perhaps, they would abandon themselves to the carelessness out of which the first proceedings in preparation for an Auto had aroused them."\*

Inquisitors and priests are all astounded. They shrug their shoulders, hang down their heads, change colour, are struck dumb, and tremble; or, recovering

\* If these are stirrings of humanity in the bosoms of Inquisitors when they are themselves suffering under a sense of public shame for being overruled by a superior power, we can understand these expressions of sympathy for their own prisoners. But after all it is very strange that the same men who could exult in the prospect of inflicting life-long penances on some, and a cruel, fiery death on others, should be capable of feeling compassion for any sufferers whatever. But I leave the narrator to speak, although I cannot understand the mystery of men speaking so tenderly, and acting so ferociously.

themselves, ask each other what this can mean. But none can answer. After the first surprise is over, and they are able to think again with some degree of calmness, it occurs to some of them that the King must have forbidden the Auto for the sake of some prisoner of importance, whose life he wishes to save. Others conjecture that it must be on account of some Englishmen concerned. This conjecture was certainly not improbable. Then the philosophers and the astrologers declared that there was an extraordinary conjuncture of the stars, and that Jupiter, of all planetary divinities most compassionate, had been moved to pity the heretics. Doubtless the true cause transpired, but whatever it was, the fact is interesting to us now, as it indicated such a change in the mind of kings, and such an advance in the currents of opinion and feeling, as to betoken what has actually come to pass—the total abolition of those demoniacal festivals.

For that time, however, the influence was but extraneous, and the check, sudden and sharp, was only momentary. The Holy Office might treasure up the admonition, but only for the sake of learning how to work for the future with a more astute sagacity.

The British Minister, writing from Madrid on the 19th of April, 1608, relates the persecution of an Englishman.\*

“There hath lately been apprehended by the Office of Inquisition at Ayamonte, and conveyed to Syvill (Seville), one Thomas Ferres, a merchant whose brothers in London, I suppose, are not unknown to some of your Lordships. His trouble, as himself supposeth, groweth out of the mallyce of a fryer of our nation, resident in that towne, who, prevailing not to draw him to subscribe to a forme of a confession and oath (the copy whereof I send here inclosed), hath, as it seemes, either by himself, or some other of that malignant condition, procured him to be accused to the Inquisitors. These, like hungry hawkes, have

\* WINWOOD, ii., 347.

been easily induced to sease upon so pleasing a prey, having not only laid their tallons upon his person, but upon his goods." And, in a dungeon at Ayamonte, Mr. Ferres lay for six months at least, being only released at the pressing instance of the ambassador, and his property restored a fortnight afterwards. The Jesuits were infuriated at this clemency, and threatened to have the Inquisitor-General deprived of his office, and superseded by some one who would promote the interests of the Church, and not those of princes.

The Inquisitors, indignant at the shadow of leniency apparent in the secret article of the last treaty, which allowed heretics to exist in Spain, and yet to stay away from churches, then endeavoured to get rid of English traders altogether, by limiting their time of residence so narrowly that they would scarcely find it worth while to return.\*

Mr. Nevill Davis, an English merchant resident in Seville,† "a man careful of anything that concerned His Majesty's service," and, in the absence of a consul, holding correspondence with the ambassador, was banished at two days' notice, "without declaration of cause, or receiving of answer or defence." Sir Charles understood that this was done at the instance of the Council of the Inquisition, "who, finding," as he says, "by what had passed in dispute between them and me, that they can take none advantage by the articles against the abode of factors, have devised this other means of delivering themselves from such as they can imagine adverse to the drawing of others to their religion."

The same despatch also bears intelligence of the timely escape of Mr. Chalens, Mr. St. John, and some others, who were all sentenced to the galleys by the same authority, and sureties for their reappearing taken in large sums of money. Mr. Chalens and his crew had all been imprisoned at Seville, for having

\* WINWOOD, ii., 432.

† *Ibid.*, 439.

presumed to trade with Virginia without permission of the Pope, to whom is attributed sovereignty over the newly-discovered continent, wherefore the Holy Office, as guardian of the Papal rights, seized the heretics and their ship. On the indefatigable intercession of our ambassador they were liberated, but soon afterwards, on some pretext, sentenced to the galleys.\*

George Strangham, a Scotchman, was also seized by the Inquisition, with ship and cargo, for having dared to trade in a port of Barbary.† So it became impossible for Englishmen to trade in many parts of both the Old World and the New, without incurring the lawless vengeance of Spain, executed on them, as heretics, by the Holy Office.

The reign of Philip III. was remarkable for frequent and loud remonstrances, by Spaniards themselves, against this enormous oppression. Four times did the Cortes of Castile implore him to lay some restraint on the Inquisitors; but four times did Philip put off the remonstrant Parliament with empty words, and the tormentors of the nation became utterly reckless in their insolence.

Yet Philip III. and his advisers, under the infatuation that had possessed the rulers of Spain ever since Spain became a nation under Ferdinand and Isabella, laboured to strengthen the very power which they were sometimes trying to resist. They foolishly fancied that the Inquisition ceased to be dangerous to the state whenever it could be brought to act together with the King. Proceeding under this delusion, Philip gratified the dominant party of his clergy, by calling on the Pope to let loose the guardians of the faith upon the minority who had courage to preach against the growing "opinion" of an immaculate conception of the Virgin Mary. At the formal request of His Majesty, Pope Paul V. moved the "sacred congregation of the Inquisition to decree (A.D. 1616) that in Spain none should dare to affirm in sermons,

\* WINWOOD, ii., 439.

† *Ibid.*, iii., 43.

lectures, or disputations, or other public acts, that the blessed Virgin was conceived in sin." Very severe penalties were prescribed for every such offence, and the zealots for that novelty were highly delighted; but the decree was vain. The Spanish gainsayers would not keep silence, nor suffer even the Sacred Congregation to silence them. Six years afterwards, on another royal application, Gregory XV. bade the Roman Inquisition reiterate its threatenings, and so it did, but the blank thunder died as it fell on the soil of Spain.\*

Now that the "pious opinion" of an immaculate conception of the mother of our Lord has been made an article of faith by Pius IX., in "Apostolic Letters," dated December, 1854, we may observe that the renewed agitation of this question began with a Cardinal Archbishop of Seville in the time of Gregory XVI., and was then carried forward by Jesuits in Rome. And the whole history of this Marian controversy, even as it is given by Perrone, chief advocate of the new dogma, shows that the Inquisition was long employed for the acceleration of its establishment by force. Then the Company of Jesus gave all its influence to bring about the same result; and, under such promoters, there is nothing that Romish believers will not accept without further hesitation.

Philip IV. chose to be entertained with an *Auto* at Madrid (June 21st, 1621), on his accession to the throne. No one was burnt on that occasion, because a heretic could not be found for the fire; but a lewd nun, who had added to licentiousness with her confessor, a profession of compact with Satan,—no very dissimilar offence,—appeared in a *sambenito*, and gagged. She received two hundred lashes for heresy, and was carried away to perpetual imprisonment; which assuredly the confessors ought to have shared, and then the friends of the Inquisition might have

\* *Joannis Perrone de Immaculato Conceptu B. V. Mariæ Disquisitio Theologica*, pars i., cap. 4, page 27.



more confidently alleged this piece of discipline as an instance of its usefulness for purifying the morals of their clergy. As the priest was not accused of a Satanic compact, and his other sin was not heresy, *he* went free.

Notwithstanding the tenderness of the inspectors of morals towards the peccant priesthood, the Bishops and higher clergy now added their complaints to those of the laity remonstrating against the inquisitorial usurpation of spiritual power. The Bishop of Cartagena and Murcia, for example, with his Chapter, appealed to the Council of Castile, who addressed the King in such words as these:—"Will Your Majesty consider if it is not enough to make one weep when he sees this high dignity," of the episcopate, "so revered by us all, outraged, laid prostrate, defamed in the pulpits, persecuted and trodden down at the tribunals, and all this by an Inquisitor-General and a Council of Inquisitors, who, while they should be the very men to uphold the authority of religion, strip that authority from the bishops, first fathers of religion?" (October 9th, 1622.) But, like his predecessors, the King paid no regard to chapter of clergy nor assembly of laity, and, instead of diminishing the power of the Inquisitors, put a new instrument of mischief into their hands, by giving them, a few years later, a jurisdiction over smugglers, and authorising them to lay their hands on all the silver or copper money they might find on Spaniards when leaving the country, and reserve a fourth part of it for their own coffers (A.D. 1627).

I have elsewhere noticed the united action of the Propaganda and the Inquisition, and find at this period of the existence of the latter in Spain, a remarkable instance of its activity in the business of proselytism. When Prince Charles of England, afterwards our unhappy King Charles I., was sent by his father to Madrid for education, the chaplain of the British embassy at that court was Master James Wades-

worth. Master Chaplain yielded to the same arguments as were played upon the future King of England with less apparent, though with as much real, success, for he renounced the evangelical profession, took up his permanent abode in Spain, and, being only a layman in the eyes of Rome, sent over to England for his wife and children. After this the proselyte figured as "Pensioner of the Holy Inquisition in Seville," so continued all his life, and in that character corresponded with a former friend, in hope of bringing him over to the same persuasion. It is curious to see a presbyter of the Church of England taking a pension from the Holy Inquisition, ostentatiously proving himself a layman by living with wife and children, and corresponding for four years with "W. Bedell, a minister of the Gospel of Jesus Christ in Suffolk," who afterwards published the letters written on both sides, and rose to be Bishop of Kilmore. The Holy Office could be loose enough where there was an end of its own to serve.

As a pendulum oscillates under the impulse of two forces, without any possibility of rest until the forces are exhausted or neutralized, so royalty in Spain swung in an interminable distraction between its own interest in the nation on one side, and the counterforce of Jesuitism and Inquisition together on the other. Moved by renewed complaints, and not without a distressing consciousness that his kingdom was in danger, Philip IV. made an effort in the beginning of the year 1633 to check the encroachments of the tribunal on his royal prerogative. In a letter to the Inquisitor-General, De Castro, he expounds his own doctrine of government, and thus ordains:—

"My principal care and obligation have been, and always will be, the increase and preservation of our holy Catholic faith, in which care the Holy Office and its ministers are occupied with a well-known devotedness and vigilance. And because they need my sanction and protection, in order that they may proceed

with the authority that is desirable, I have ordained, conformably with what the Kings my predecessors have done, to reserve to myself all the causes and matters of the Inquisitions of this kingdom which in any way concern it; and of which it is I who must render an account, without permitting them to be discussed in any other Council or Junta whatsoever. For my pleasure is that such matters be immediately submitted to myself only, by you, through the Count Duke of St. Lucar, whom I have named to this effect, that he may answer and despatch them in such manner as may be most convenient, without the intervention of any other minister or tribunal; and that, if there be not present in my Court any minister-deputy for the Inquisitors, you remit the papers that may be wanted to Diego Suarez, my Secretary of State in the Council of the Crown, who resides with me, and who is also Secretary of the Holy Office, that he may pass them to the Count Duke." \*

But this was only a convulsive grasp. Philip was not a man to hold fast the reins of government, but resigned them forthwith to a new Inquisitor, named Sotomayor, who prosecuted his mission with an energy that effectually nullified every previous concession to the Crown.

If we might digress into the history of Jesuitism, we should find that a spirit of rivalry between the Inquisitors and the fathers of the Society, both parties being pillars of the Church, both of them supporters of despotic sovereignty, and aspirants after ascendancy over civil society, often broke the peace of those watchers over the Romish flocks, and brought them into positions of difficulty, out of which their tribunal could never more be extricated.

\* "*Dedução Chronologica e Analytica. Parte Segunda. Na qual se manifesta o que successivamente passou nas diferentes epochas da Igreja sobre a Censura, Prohibição, e Impressão dos Livros. Dada à Luz pelo Doutor Joseph de Seabra da Sylva. Lisboa, 1767.*" P. 148.

## CHAPTER XVIII.

## SPAIN.

## FURTHER DECLINE.

THE two fraternities of Guzman and Loyola rather tended to union than to opposition. The loftier policy of Jesuitism sometimes influenced the secret tribunals, and made their proceedings far more formidable. The union became as perfect as it well could be when Father Nithard, a Jesuit, and confessor of the Queen of Philip IV., was appointed Inquisitor-General, and also Councillor of State, after the death of that King, and in the minority of his son, Charles II. As Confessor, Councillor, and Keeper of the Faith, the Jesuit managed all the springs of government in Church and State; but so vast an accumulation of power and craft was too much for him to bear or for Spain to suffer, and he at once encountered open opposition from Don Juan of Austria, an illegitimate son of the late King, who resisted the Austrian and Jesuitical policy then dominant at Court. Don Juan had both spoken and written freely of Nithard, and many of the clergy supported him with their advice and influence. Nithard appointed censors to examine his *propositions*, which, in certain course, they pronounced heretical; and he would have been immured at least, if public indignation had not risen so high, that the Jesuit-Inquisitor found it expedient to decamp. He fled to the thresholds of the Apostles, took shelter at Rome under the wing of Clement IX. (A.D. 1669), and soon a cardinal's hat solaced him in discomfiture, and rewarded his ambition.

There arose great questions between the Courts of Paris and Rome concerning the limits of royal and pontifical authority, and the claims of the French Church to be independent of the Roman See. The Spanish Inquisition, lacking the sagacious guidance of a Jesuit, did not leave the contending parties to settle their dispute, but chose to involve itself in the controversy; and took a part no less offensive to the good sense of mankind in general, and to all true Christians, than vexatious to the French clergy. These clergy, in solemn Assembly, made a Declaration in four articles, which are imperishably written in the history of the seventeenth century. The first of these articles reads thus:—"At first to St. Peter and to his successors, Vicars of Christ, and to the Church herself, God gave power in spiritual things pertaining to eternal salvation, but not in civil things; for the Lord said, 'My kingdom is not of this world;' and again, 'Render therefore to Cæsar the things that are Cæsar's, and to God the things that are God's;' and therefore the apostolic precept must stand, *'Let every soul be subject to the higher powers: for there is no power but of God; for the powers which be are ordained of God: therefore he who resists the power resists the ordinance of God.'* Kings, therefore, and princes are not subject to any ecclesiastical power in temporals, by the ordination of God; neither, by the authority of the keys of the Church can they be directly or indirectly deposed; nor can their subjects be so exempted from fealty and obedience, nor released from the oath of fealty that they have taken. And this sentence is necessary for public tranquillity, is no less useful to the Church than to the empire, and ought to be inviolably retained, as agreeing with the word of God, the tradition of the Fathers, and the example of the Saints."

The Spanish Inquisitors ought now to have kept themselves within the Pyrenees; but they transgressed their bounds, took the French clergy under

inspection, employed Spanish consultors to examine the French Article, and then adopted their report that it was rash, erroneous, and heretical.\* Henceforth, even if there had been no other obstacle, the Inquisitors had raised a barrier in their own way, which made a passage into France impossible.

As the seventeenth century advanced, with its growing literature and earnest controversies, the Inquisition, pretending to rule every question, and to exert a universal censorship, could not but catch a little of the polemical spirit; and its ministers, indulging the dangerous temper, sometimes ventured to break through the ancient restraints of silence, and imprudently condescended to attempt a public advocacy of principles that were each day controverted more and more. But they had no capacity for the larger intelligence of that age. A single example of such inquisitorial folly may be admitted here.

The following sermon was preached in the church of the Franciscan convent in Zaragoza, on Sunday, March 1st, 1671, by Brother Manuel Guerrera y Ribera, a Trinitarian shoéd, Doctor of Theology, *Professor of Philosophy* in the University of Salamanca, preacher to the King, and rich in many other honours. It preceded the publication of the annual edict for general inquest to be made. I translate closely from the Spanish of Llorente.

“And he was casting out a devil, and it was dumb,” etc., etc.  
(Luke xi. 14—28.)

“On the first of March Moses opened the tabernacle, Aaron clothed himself as High Priest, and the princes of the tribes offered to obey his precepts; *because*, on the first of March, the temple of St. Francis would be opened, the pontifical mandates to delate heretics to the Inquisitors, as vicars of the most

\* *Discusion del Proyecto de Decreto sobre el Tribunal de la Inquisicion. Discurso del Señor Villanueva, en la Sesión del Día 21 de Enero de 1813.*

high Pontiff, would be published, and the principal citizens of Zaragoza would promise to obey them. Aaron was Inquisitor of the law, and he is this day represented by the Inquisitors of Zaragoza. Jesus Christ is accused of superstition. This is a crime for inquisition. I shall reduce my sermon to two points: first, the obligation to delate; second, the holiness of the office of Judge-Inquisitor.

“*First point.* Religion is a warfare. Every soldier should give notice to his chief, if he knows that there are enemies. If he does not give notice, he deserves to be punished as a traitor. The Christian is a soldier; and, if he does not denounce the heretics, he is a traitor: justly will the Inquisition punish him. St. Stephen, when stoned, prayed God not to impute the sin to his persecutors. But they had two sins: one, that of stoning Stephen; another, that of resisting the Holy Ghost, which is a sin for the Inquisition. He asked God to forgive them the sin of killing him, because he could ask it; but not to forgive the other, because it was a sin for the Inquisition, and he delated it to God. Jacob separated himself from the house of Laban, his father-in-law, without saying ‘Good bye.’ Why did he not pay respect to his father-in-law? Because Laban was an idolater; and, in matters of faith, religion must be above all human considerations. Therefore the son ought to delate the heretic to the Inquisition, although that heretic be his own father. Moses was Inquisitor against Pharaoh, his foster-grandfather, plunging him into the sea because he was an idolater; and against his brother Aaron, reproving him for having consented to the golden calf. Therefore, in offences of Inquisition, you must not stop to think whether the delinquent be your father or your brother. Joshua was Inquisitor against Achan, commanding them to burn him, because he had stolen property confiscated under the curse of Jericho, which ought to have been burnt in fire. Therefore it is just for heretics to be burnt. Achan was a prince of the tribe

of Judah, and yet they delated him. Therefore every heretic ought to be delated, though he were a prince of royal blood.\*

"*The second point.* Peter was Inquisitor against Simon Magus. Therefore the representatives of the Vicar of Peter ought to punish magicians. David was Inquisitor against Goliath and Saul: with the first, severe, because Goliath outraged religion wilfully: with the second, merciful, because Saul was not quite his own master, for he acted under the possession of an evil spirit; and therefore Inquisitor David soothed him in his proceedings by playing on a harp. Therefore the stone and the harp signified the sword and the olive of the inquisitorial office. The book of Revelation was sealed with seven seals, because it signified the process of the Inquisition, so secret that it seems to be closed with seven thousand. Only a lion opens it, and then the lion is changed into a lamb. What clearer figure of an Inquisitor can there be? For making inquisition into crimes, he is a lion that terrifies. After having sought them out, he is a lamb that treats all the guilty written in that book with gentleness, kindness, and compassion! Other elders attended with little vials of pleasant odours at the opening of the book. They were little vials (*redomitas*), and not vials (*redomas*). They had their mouths little. Therefore the Inquisitors and their servants ought to speak little. The odours were aromatic. St. John says that they signified the prayers of the saints. These saints are the Lord's Inquisitors, who offer prayer before they pronounce the sentence. The text says that the ministers carried harps (*cltaras*) also. Why not lutes or viols (*arpas ó vihuelas*)? Nothing of the kind. The chords of these musical instruments are made of the skins of animals; but the Lord's Inquisitors do not skin any one. The harps have chords of

\* The congregation would not fail to think of Don Carlos, whom his father, Philip II., with concurrence of the Inquisitors, caused to die in prison, because he chose to think him tainted with heresy.



metal, and the Inquisitors must use iron; tempering it, and adapting it to the circumstances of the guilty. The viol is played with the hand, symbol of despotic power; the harp with the quill, hieroglyphic of knowledge. Let it be a harp, then, and not a lute or viol, because the Inquisitors decide with knowledge, and not with despotism. The hand depends on the body and its influences; the quill is a separable, independent thing; therefore it must be harp, not lute, because the sentence of an Inquisitor does not depend on influences."

When people could listen to such nonsense,—when Kings favoured such preachers, and colleges accepted such professors—the Inquisition might do anything it would; but the times of ignorance were passing rapidly away. Preachers like the little mouthed orator of Zaragoza, and Inquisitors like Rocaberti and the royal confessor Diaz, who could hunt for witches all over Spain, in order to find out by whose doings Charles II. was childless, were not the men to drive back the tide of discontent that flooded higher and higher from year to year. And it was in this reign that effectual measures first were taken to undermine the strength of the "horrible tribunal."

Heroic Zaragoza would not have listened so meekly a century before, when the whole population rose in defence of "the famous Antonio Perez, Minister and First Secretary of State of King Philip II.;" a singular affair, which I will relate very briefly indeed, from the earliest printed statement of it,\* which was published by Perez himself, with the aid of a companion in sin and suffering, and is confirmed by authentic documents from correspondence with the King and others.

Antonio Perez, having watched the proceedings of Juan Escovedo, also a Secretary of State or Envoy of

\* *Pedazos de Historia, ó Relaciones así llamadas por sus Autores los Peregrinos. Retrato al vivo del Natural de la Fortuna. Impreso en Leon.*—There is no date, but it must have been printed in 1592 or 1593.

Philip, and made those proceedings the subject of frequent communications to their common master, suggested or concurred in a suggestion that Escovedo should be got rid of without the inconvenience of bringing State affairs to the knowledge of the world. Philip, with his accustomed readiness to allow or to commit any such crime, concerted with Perez that Escovedo should be assassinated as soon as possible. Murder could not be concealed. Suspicion fell on the First Secretary, and enough transpired to involve the King in the same suspicion. Evidence, however, could not be found; for neither witnesses nor judges would dare to proceed against the King, or the King's favourite and accomplice. The King, too, tormented with the fear that the son and friends of the murdered man would publish all they knew and all that they suspected, engaged the services of the Inquisitor-General, who subjected Perez to a private inquiry, and easily obtained evidence that he was a heretic. His heresy, however, was not of the Lutheran kind; but, like that of most of his neighbours, it was infidel. He was much given to profane and filthy language, and had not been careful to keep clear of such vulgar interjections as the inquisitorial casuists had pronounced to be heretical. But for this indiscretion, his profaneness would have deemed pardonable, if not quite innocent. Once entangled in the toils of the Holy Office, escape was next to impossible. He was confined to his house, yet acted for some time as Secretary of State, and had friendly communication with the King. Then he was questioned again, and the restraint made closer. Then he was charged with falsifying State papers, and fell into disgrace accordingly. Being fallen, he was examined by torture, yet not taken to the prison of the Inquisition, perhaps because, while he passed as a State criminal, no one would have presumed to consider him liable to punishment for heresy. After suffering torture, he managed to escape from confinement in Madrid; and, aided by

a compassionate foreigner, a Genoese, escaped into Aragon, his family being Aragonese, and threw himself under the shelter of the *fuero*, or charter of that kingdom; which made the *Justicia* supreme authority in all criminal cases, and reduced the King of Spain, like all other persons, to the position of party litigant, whenever a defendant claimed protection, and committed himself to that constitutional jurisdiction.

Antonio Perez was therefore taken to Zaragoza, and lodged in the prison of the *Manifestacion*; so called because the inmates of that house were under the guardian custody of the *Justicia*, or chief magistrate, in order that they might freely make their case *manifest*. The King, who should then have submitted to appear as witness, and take the chance of adverse evidence, durst not face the inevitable exposure; withdrew by an act of sovereign authority, and left the Inquisitor of Aragon to take up the question of heresy, and bury it under the inscrutable secrecy of his tribunal, as the Inquisitor-General in Castile had either done, or tried to do.

After some hasty and peremptory preliminaries, the officers of the Inquisition attempted to get possession of his person, but failed. Then the Viceroy, with a train of nobles and gentlemen, and foot-soldiers equal to an English regiment of infantry in full strength, and horsemen equal to, at least, a troop of cavalry, took possession of the city, as they thought; and proceeded to put Perez and his companion-fugitive in irons, and convey them under a military guard from the prison of the Justice of Aragon to the Alfaría, or fortified dungeons of the Inquisition. The brave men of Zaragoza, not to be intimidated as were their chiefs, came in full strength at the right moment, fairly disarmed the soldiers after a short and sharp struggle, carried away Antonio Perez in triumph; and he, after receiving almost the adoration of the multitude, men, women, and children, whilst Viceroy, Duke, Counts, and Inquisitors were prudently con-

coaled in cellars, stables, pigsties, and any other sort of hiding-places, went into France, and was welcomed and supported there by Henry IV. In great alarm, Philip sent an army into Aragon to quell sedition, and to silence fame; but the Inquisition never absolutely recovered the ground then lost. Antonio Perez wrote his book, or was partner in the authorship, and then came over to England, hoping to share the favour in those days hospitably, yet as discreetly as might be, shown to refugees on account of religion; but his high birth, his former station, and the merit of long-protracted suffering could not cover the notoriety of his guilt. He was charged, perhaps truly, with having told the King's secrets; and Queen Elizabeth, passing over other matters in silence, gave that as her sufficient reason for not showing him any favour. Burleigh, as Treasurer, would scarcely allow him a single interview; but Essex used him to get information of the secrets of the Spanish Court, rewarded him handsomely, and left him to return to France,\* where he ended his days.

Now to return from this digression.

Two councillors of state, two of Castile, two of Aragon, two of Italy (for the Spanish possessions in Italy), two of the Indies, two members of military orders, and a secretary of the King, in all thirteen, constituted what was called "the Great Junta," summoned by the King to consider the complaints that came from all quarters against the Inquisition. After grave deliberation, they reported (May 21st, 1696) that the usurpation of jurisdiction by the Inquisitors was found to be as old as their establishment in His Majesty's dominions. They had assumed power in every kind of case, and over persons of all conditions. Persons of all ranks had been thrown into their prisons, and the best families covered with disgrace. The slightest disrespect shown to any of their dependents

\* *Annales Rerum Anglicarum et Hibernicarum, regnante Elizabetha. Auctore Guil. Camdeno.* Pars iv., A.D. 1694.

or domestics, who had come into the possession of exorbitant privileges, they punished with relentless severity. The very forms of their judicial proceedings were insolently contemptuous towards the royal Courts, and prejudicial to all civil authority. The King's "vassals" had ever been discontented, and the Emperor Charles V. had been so well persuaded of the justice of their complaints, that he suspended the sanctions hitherto given to the Inquisition;\* but Philip II., being Governor of Spain in his absence, (after his abdication of the empire,) restored them, after a suspension of ten years, under some restrictions; but the restrictions had never been observed. Spoiled by long indulgence, their insolence became insufferable. They exercised jurisdiction over secular persons, and in matters not pertaining to religion, forgetting that jurisdiction belongs to the Sovereign alone, and was only delegated to them in any degree by his favour. They even denied this, and contemptuously set aside the restrictions of Canon Law, and of Bulls which lay in their own archives.

The Junta said that they might justly ask for a revocation of all the privileges which had been thus abused; but would only recommend that the original restrictions should be enforced, and none confined in prisons of Inquisition, except for crimes against religion. They further recommended a permission to appeal to the throne, with a public examination of causes before the royal Courts. And they enumerated many evils resulting from privileges claimed by the Holy Office; undefined and unlimited as those privileges were, and extending to all connected with an Inquisitor. His coachman, or his lackey, demanded reverence of every one, and fancied himself privileged to commit unbounded insult. His servant-girl complained if she were not served quickly or well enough in the market; and whoever offended one of those

\* Yes. But in Spain only. Not in the Netherlands, nor elsewhere. In Spain they evaded the suspension.

menials was liable to be flung into the deepest dungeon. They then described the discontents and tumults which had been provoked by these things in various provinces of Spain; and proposed that the jurisdiction of this Court should be narrowed, its privileges diminished, and the civil authorities enabled to resist its encroachments.

Here and there some resistance was actually made, as in the case of the Inquisitor of Catalonia, Bartolomé Sanz y Muñoz. This person excommunicated the bailiff and jury of the village of Sitges for having billeted soldiers in the house of a Familiar; and also a magistrate of the place, for not helping to make the bailiff prisoner. His insolence was reported to Charles II., who instantly wrote to the Marquis of Castel Rodrigo, under date of January 8th, 1696, requiring him to send the said Inquisitor out of the Spanish dominions without the least delay, and to inform him that he must never dare to set foot in them again without a royal licence.\* But the King was too feeble to maintain his ground, and the grievances of the nation were not redressed.

The eighteenth century opened somewhat more hopefully. Philip V., grandson of Louis XIV., of France, was the first who refused to have an *Auto* at his coronation, which was so far good; but he maintained the Inquisition as an instrument of despotic government, and actually used it to punish, as heretics, those who had any doubt—for there was a war of succession—concerning his title to the crown. Yet he rather used the institution than supported it; for he deprived of his office an Inquisitor-General who had presumed to proceed for heresy against some high officers of state. Irritated by the presumption of the Inquisitors, he ordered a decree for the suppression of their office; but, like one who fears to heave a stroke lest he should be hurt by the rebound, ventured not to carry the decree into effect.

\* *Cartas de D. Roque Leal* (L. J. Villanueva), Carta ii.

The Cortes of Castile again (A.D. 1714) recorded their condemnation, but without any further benefit than that which must eventually result from the disclosure of a truth. The same body reiterated their disapproval a few years afterwards (A.D. 1720).

But this wordy opposition was of little value, so long as the Tribunal lasted, and the union between royal and sacerdotal despotism gave the latter an immense advantage, which mere popular outcry could not very sensibly diminish. Ever craving after privilege, the Inquisition at this time seldom asked in vain, and an Order of King Philip V. in 1723, giving the Inquisitor-General and Officers of the Holy Office free use of the Post-office,\* is a remarkable example of successful importunity. In truth, this King was using the Inquisition for his own purposes, and no agency could be better fitted for such work. Pretexts for persecution were never wanting. Of the evangelical doctrine which had prevailed two centuries before, scarcely a trace remained, but there were multitudes of persons accused of attempts to revive Judaism, and others of efforts to promote Freemasonry. This gave the Inquisitors abundant pretext for the discharge of their political mission, and it is reported by Llorente that during Philip's reign of forty-six years, there were seven hundred and eighty-two Autos in Spain alone. This historian calculates that 1,564 were burnt alive, and 782 in effigy, with 11,730 penitents; making a total of 14,076 victims.

The same genius which had compassed the appropriation of the Post-office, also effected a systematic control over the Press, of which the celebrated Spanish Expurgatory Index of 1747 is an example. Nine years later the Supreme Council of the Inquisition in Spain complained that the Rules and Mandates contained in that Index were not observed as they should have been by booksellers and others, and that many prohibited books had clandestine circulation. They

\* B. M. 4625, g. 1.

therefore issued a mandate to all booksellers and merchants, requiring within two months, without fail, an inventory or list of all books in their possession, which list was thenceforth to be preserved in their shops or houses, and duly kept, so as to show, at any time, what books were in their possession, either their own stock, or for sale on commission, or to be disposed of in any other way, marking the names and surnames of the Authors, and where they were printed, with the titles in full. They were to swear, and sign what they had sworn, that they had no other books in the house or elsewhere. The said inventory was to be entirely renewed every year, and Inspectors, having the inventory in their hands, were to search the booksellers' houses, lest haply books forbidden might be there. Public notice was also given that no person whatever should dare to have, buy, sell, lend, or give any books prohibited in the said Index Expurgatory, or that thereafter should be prohibited, under any pretext whatsoever, nor were they to pretend that they had torn up or burnt such books, for they were all to be delivered into the Holy Office, under penalty of the censures incurred, and punishments provided in the said mandates, with addition of such further penalties as aggravating circumstances might require. Every bookseller was compelled to purchase the Expurgatory Index, and keep it in his shop for reference, with authentic notes of further prohibitions from time to time. All prohibited books now found, or at any time discovered, were to be given up to the Tribunal of Madrid.\*

It is said that a similar edict issued in May, 1765, ordering the faithful to give up all defamatory writings, had reference to those which the Jesuits were then distributing largely in Spain to excite an insurrection against the Government. The edict was very urgent, commanding them to be brought to the Holy Office within six days.†

\* B. M. 4625, g. 1.

† *Histoire du Pontificat de Clement XIV.* Par A. THEINER. Paris, 1852. Tome I°, page 68.



The subject of Indexes Prohibitory and Expurgatory would require to be treated separately. We cannot conveniently pursue it here, and I therefore relegate to the Appendix \* an interesting example of Inquisitorial ignorance in relation to Biblical criticism. It was published in the year 1640, repeatedly issued by the Spanish Inquisition afterwards, and to my own knowledge was fully accredited in the same country so late as the year 1835.

Two incidents, at least, in this reign are worthy of mention. In the year 1713 Gibraltar was ceded, after conquest, to Great Britain; and by an article of the Treaty of Utrecht, "Her Britannic Majesty, at the instance of the Catholic King, consented and agreed that on no account should Jews or Moors inhabit or have dwelling in the said city of Gibraltar;" but "Her Majesty, the Queen of Great Britain, promised that the inhabitants of the said city of Gibraltar should be allowed the free exercise of the Roman Catholic religion." Five years afterwards Isaac Martin, an Englishman, was imprisoned for eight months, and robbed, by the Inquisition of Granada, on the very spot where the edict was written for the expulsion of the Jews from Spain; as if to show Great Britain the effect of principles to which she had rendered obeisance in the proscription of Jews at Gibraltar, and the return she might expect for indulgence to "the Roman Catholic religion" within her own dominions. But it is pleasant to note that Mr. Martin was released at the instance of our King George I. The Inquisition, however, saved its pride by first whipping him through the streets of Granada, and then, to his great delight, *banishing* him from Spain.

During the reigns of Charles III. and Charles IV. a revival of literature and an advance in political science guided the clergy and Government to a more intelligent consideration of the pretensions of the Court of

\* Appendix IV.

Rome, as well as to the proceedings of the Inquisitors. The former of these monarchs nearly yielded to the advice of his best counsellors—the Marquis of Roda and the Counts of Aranda, Floridablanca, and Campomanes—who would have had him to suppress the Inquisition, and expel the Jesuits. Some of the measures of Charles III. were, for that time, very vigorous, yet utterly insufficient.

Under date of 18th January, 1772, he issued a Royal Order to the following effect:—One of his greatest cares since entering on the government of the Spanish kingdoms, had been to maintain the Catholic Religion in its greatest purity, and to exterminate the disturbers of its unity, with the most holy maxims of the faith, for maintaining which the Tribunal of the General Inquisition was established and founded by his glorious ancestors. At their earnest desire the Apostolic See granted to that Tribunal ample powers. Royal generosity had given it wide extension, and *granted it for the time, and during the Royal Pleasure*, exercise of the royal jurisdiction for cases and matters to which *the spiritual jurisdiction given it by the Pontiffs did not extend*, on which account the titles of Founder, Patron, and Protector, as being inherent in the crown, belong to him (the King.) As such, he has promised his protection. He desires that the proceedings of the Inquisitors be in conformity with the views of the Apostolic See, concurrent with the Royal pleasure, obeyed as such, and respected as prescribed by the Inquisitor-General, and the Council of the Supreme and General Inquisition. *But to that end it is indispensable that an account be given to the King of what is done in all places, of which it is right that his royal person should have complete knowledge, to avoid the prejudicial and most serious inconvenience which, as is universally observed, has been caused by the recent publication of an Edict of the Inquisitor-General against the King's clearly expressed will.* “That such a thing may never be repeated,” says his Majesty,

“and that my sovereign authority may be duly respected, I have determined that the Inquisitor-General shall not publish any edict in pursuance of Apostolic Bull or Brief until he receives from me an order to that effect, it being understood that the Nuncio has to deliver them all to myself or to my Secretary of State ; and that if they relate to prohibition of books, he (the Inquisitor-General) must observe the form that is prescribed in Act 14, Title 7, Book 1, of the Recopilation, causing them to be examined anew, and forbidding them (if necessary) by power of our own, and without inserting the Brief.”

Neither should the Inquisitor-General publish any edict, General or Expurgatory Index, within the Court or beyond it, or without giving information to the King by the Secretary of Grace and Justice, &c., as was provided by Benedict XIII., in the Constitution Apostolic that begins with *Sollicita ac provida*. The Document from which I translate has the original sign manual—*Yo el Rey*.

Under the same date there is a copy, wanting two leaves, of a Pragmatic which his Majesty commanded to be published, that from that day no Brief, Bull, Rescript or Letter from the Pope for establishing Law, Rule, or general observance should be put into circulation until seen by himself, and that Briefs and Bulls in business should be of no force until seen and sanctioned by the Council appointed for the purpose. Also signed—*Yo el Rey*. \*

Charles III. was one of the princes who banished the Jesuits from his dominions, before the temporary suspension of the order by Clement XIV., but he had not courage, perhaps not power, to extinguish that murderous police. A mysterious dread held back his hand from giving sanction to a decree that would have made his title complete as Benefactor of Spain. Even an Inquisitor-General, the Archbishop of Selimbria, proposed a scheme for its reforma-

\* B. M. *ut supra*.

tion; but an intrigue of court unseated him, and sent him prisoner to a monastery (A.D. 1794). When the Inquisition had prepared to cast into its dungeons Don Ramon de Salas, whom Charles IV. rescued, and also the Prince of the Peace, a decree for suppression was actually drawn up; but the Prince of the Peace himself was induced to dissuade the King from signing it (A.D. 1797). A Minister of State advising the King, his master, to suppress the Holy Office, would have been counted a *Hinderer*, and perhaps treated accordingly.

Projects of reformation, however, could not be lost sight of; and at length the first step was taken by the exertion of Urquijo, Prime Minister of Charles IV., who obtained a royal prohibition from interfering with foreign consuls in Spain (A.D. 1799). From that time, these functionaries were allowed to exercise the Protestant religion in their consulates,\* and to have in their libraries whatever books they pleased, and it is gratifying to know that some of them have made good use of the right then acknowledged.

Meanwhile, sentences to death nearly ceased, and once, when a good man whose heart the Lord had touched, and who steadfastly refused to compromise his conscience by any concession to idolatry, was sentenced to be delivered over to the secular arm, in compliance with the letter of the law, the Inquisitors themselves agreed to give him a certificate of lunacy, and let him go free. By this contrivance Don Miguel Solano, priest of Escó, a town in Aragon, walked out of the prison of the Inquisition in Zaragoza as a maniac, forgiven his heresy, and, as a maniac, exempted from priestly ministrations, while everyone knew him to be a reasonable man, and treated him accordingly. Nothing could repress his zeal for Christ. After bearing open testimony to the truth, and resisting every attempt

\* But in the reign of Ferdinand VII. most, if not all, the British Consuls were so far intimidated, or so indifferent, as not to use their privilege.

to dissuade him from that confession, he was released by death from controversy. Refusing the wafer and the unction, he departed in the faith (A.D. 1805), and was buried in unconsecrated ground, within the walls of the Inquisition, on the bank of the Ebro, but without any sentence of infamy, or posthumous condemnation. So great a change had taken place in the views of Spanish ecclesiastics; many of whom I knew at a later date, and found incapable of speaking of the Inquisition without expressions of shame and horror.

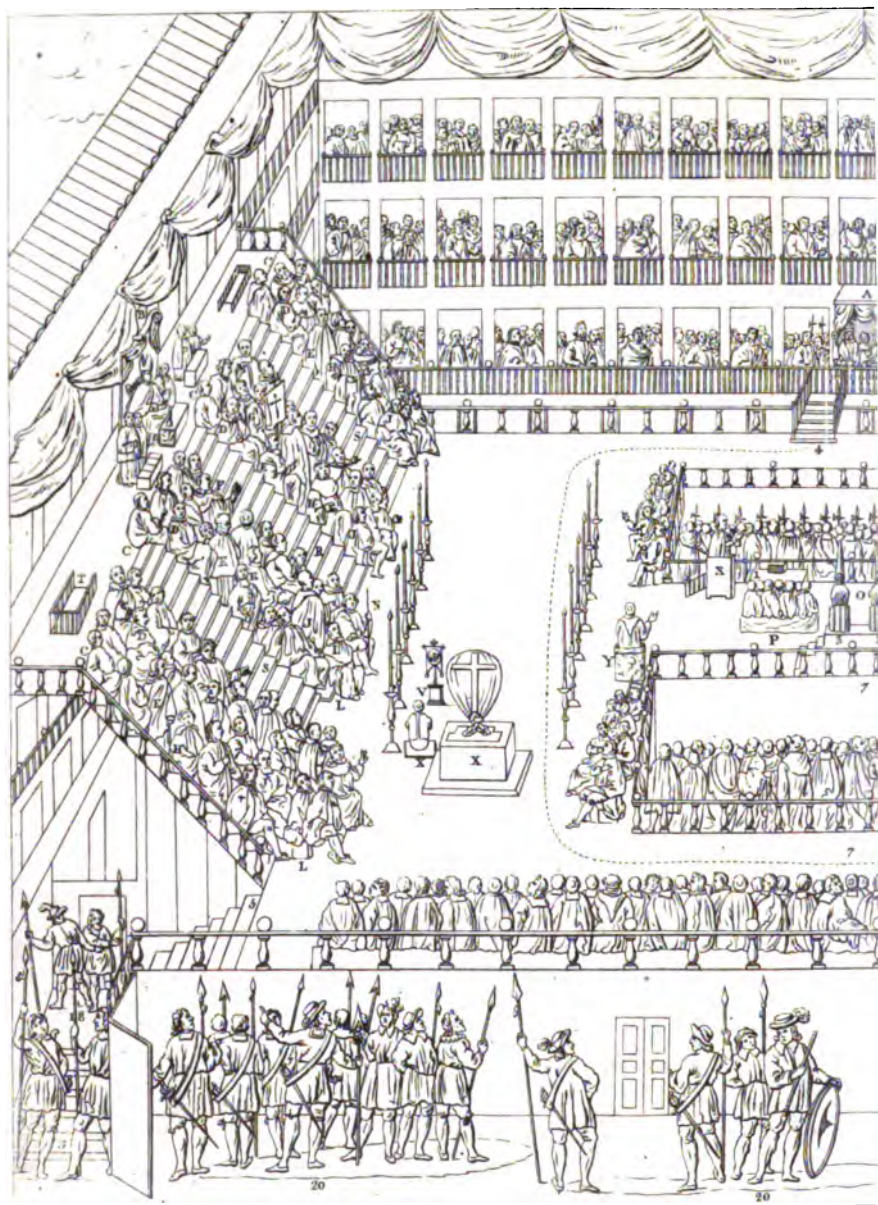
Here we may take the aggregate number of sufferers in Spain from the time of Torquemada until the year 1809, as given by Llorente, on the lowest possible estimate:—

Burnt alive .....	31,912
Burnt in effigy.....	17,659
Penitents .....	291,450
<b>Total.....</b>	<b>341,021</b>

Let us not fail to note that, fifteen years before the death of Solano, the Word of God had been honestly \* translated from the Latin Vulgate into the language of the people by Padre Scio, tutor of the Prince of Asturias, and that its universal reading by persons of all ranks and ages was advocated by the Doctor Don Joaquin Lorenzo Villanueva with a scope of learning, a clearness of diction, and a warmth of eloquence that would adorn the literature of the most polished nation in the most enlightened age. Yet on the first page of the precious volume we read among the titles of the revered author that of Qualifier, or Censor, of the Holy Office. The date is 1791.

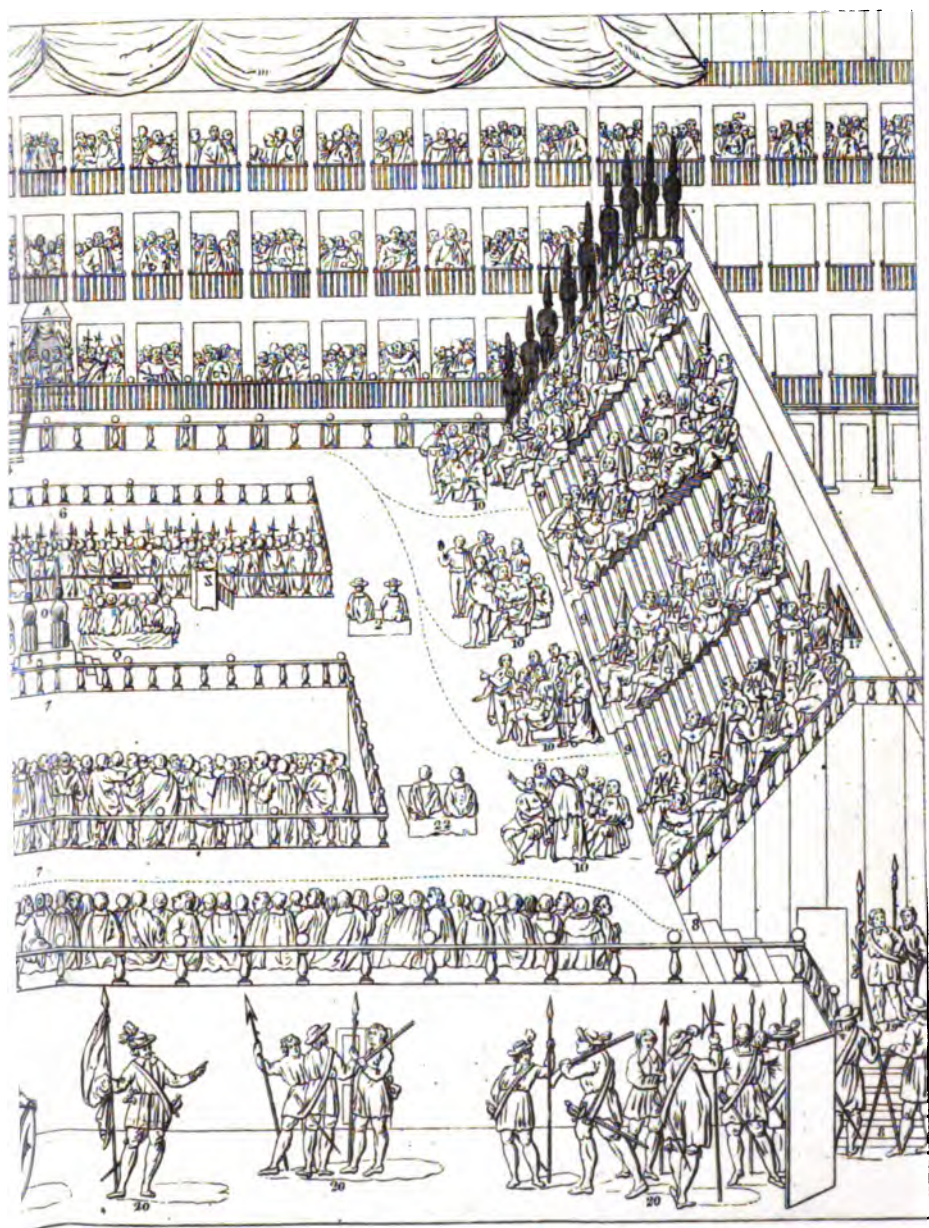
\* Scio translated honestly, but he could not obliterate the false readings of the modern Vulgate.





THEATRE AT THE FEST





FESTIVE AUTO OF 1680.

[Described Vol. I. pp. xi., xii. 🐘





## CHAPTER XIX.

## SPAIN.

## THE FESTIVE AUTO OF 1680.

ONE day in April 1869, in the revolutionary interregnum between the Bourbon Isabel II. and Amadeo of Savoy, some workmen, cutting through a mound in the Plaza Mayor of Madrid, discovered two black streaks of ashes, with fragments of human bones, an iron collar, and other matters which seemed to be the remains of one or more *Acts of Faith*. The discovery being announced in the *Boletín Oficial*, and made a subject of observation in the Cortes, occasioned great excitement in Madrid, and drew attention all over Spain, and even in England. Remains of human victims, buried out of sight for nearly two centuries, had suddenly come into view in the centre of the metropolis of Spain; yet some who saw and handled those remains could hardly believe their senses, and multitudes who heard of the occurrence fancied that such a disclosure, alleged to have taken place amidst the enthusiastic discussion of a great religious question,\* was rather too exactly opportune to be credited. Some doubters in England were, for the moment, persuaded by interested persons that the ashes and the charred remains of human bodies could not have been left on that spot by any inquisitorial fire, inasmuch as no such fires,—for so they asserted,—had ever been kindled in Madrid; nor were *Autos-de-Fè* ever celebrated in that city. I remembered, however, to have

\* The question of Liberty of worship, which it was afterwards resolved to sanction in a constitution of which the draft was at that very time under discussion.

read some account of such an event, sought out the record, and now lay the substance of it before my readers.\*

King Charles II., being only seventeen years of age, and newly married to a French Princess, the wedded pair made a triumphant entry into Spain in January, 1680, and were entertained with spectacles and feasting. Some time after their arrival at Madrid, it was suggested that as, once before, in 1632, on occasion of the safe delivery of the Queen of Philip IV.—the Queen Mother now present — there was a general Auto-de-Fé in Madrid, by special arrangement for her entertainment, there should now be a similar entertainment provided for the young Queen on occasion of her marriage. It would gracefully crown the conclusion of her nuptial festivities. Madrid, indeed, was not one of the places appointed for burnings of the kind, nor was there a central tribunal there, but that their young Majesties might have all the pleasure of the sight without the trouble of a journey to Toledo, head of an Inquisitorial Province, and ecclesiastical metropolis of Spain, it was proposed that the sacred solemnity should be transferred to the seat of royalty, as it had been once before, at least. The members of the tribunal might come over, bringing the prisoners with them, although the cost would be considerable, since no possible cost would be grudged for the attainment of so great an object as the active participation of both King and Queen in the proceedings of the Holy Office. That participation was intended to commit them to its policy in Spain, perhaps in France also.

\* *Relacion Historica del Auto General de Fé que se celebró en Madrid en este año de 1680 con asistencia del Rey N. S. Carlo II., y de las Magestades de la Reyna N. S., y la Augustísima Reyna Madre, siendo inquisidor general el excelentísimo Señor D. Diego Sarmiento de Valladares. Por José del Olmo, alcaide y familiar del Santo oficio, ayuda de la furriela de S. M., y maestro del Buen Retiro y villa de Madrid. Vendese en casa de Marcos de Ondatigui, familiar del Santo oficio, á la Platería junto á San Salvador. Impresso año 1680.*

There would be no lack of subjects for the various forms of inquisitorial display. The prisons of the Holy Office were full of heretics, wizards, bigamists, and other immoral persons. There was even one Mohammedan in custody, and they had many Jews, whose accursed bodies were always preferred when fuel was wanting to feed the flames. The young King, as instructed, professed himself glad. The young Queen could not do otherwise. The old Queen Mother was truly pleased to declare herself content. Perhaps, in reality, they *were* all gratified. So the Inquisitor-General of Spain, Valladares, went in state to the Palace, kissed hands, made the proposal in form, and proceeded to make things ready, leaving the Court all alive with expectation.

Sunday, June 30th, was fixed on as a proper day for the spectacle, being "the celebration of St. Paul the Apostle," most famous of Jewish converts, as he had been most famous of Jewish Inquisitors; and May 30th, the day also of Holy King Ferdinand III., who himself had carried wood to burn Jews, was appointed for solemn proclamation of the *Auto*. The days of St. Ferdinand and St. Paul were considered most proper for proclaiming and for executing a royal triumph over Jewish obstinacy.

Forthwith the Royal Supreme Council of the Inquisition met in haste. Thirteen illustrious veterans were present, who had not only much experience in the general work of the tribunals, but had presided at Autos in Cordova, Toledo, and Granada, and were profoundly versed in the judicial course and ceremonial proprieties to be observed. These were charged by Valladares to make suitable provision for the celebration of so sacred an action at the Court of the Catholic Monarchy, and in presence of such exalted Majesties. They cheerfully divided the welcome labour among themselves thus:—

Don Fernando Villegas, oldest Inquisitor of Cordova, was to have a magnificent theatre constructed.

Don Alvaro de Valenzuela y Mendoza, oldest Inquisitor of Aragon, was to prepare the standard of the Holy Office according to the strictest rules of ecclesiastical heraldry, and to have boxes made for containing the sentences.

Don Francisco Estévan del Vado, Inquisitor of Toledo, and chaplain to the new Sovereigns, was to appoint mounted Familiars, who should ride alongside the Council at the Auto. He also directed the preparation of new canopies, chairs of state, and tables for the theatre.

Don Fernando Bazan, Rector of the University of Salamanca, assisted by the Professor of Canon Law in the same university, was to direct the publication of the Auto, a grand procession of the crosses, and the formation of armed bands of working men.

Don Juan Marin de Rodezno, oldest Inquisitor of Granada, and head of the Board of Censors, was to oversee the despatch of reports of trials, the finding of lodgings, and provision of apparel for the prisoners; penitential habits, effigies, tapers, and rods for administering corporal penance before absolution. This functionary was to be assisted by Gaspar Peinado Fanega, senior Secretary of the Royal Court, and by José del Olmo, the King's *Ayuda de furriela* (an officer of the household having power to open all doors), and Alcaide of the Inquisition, was to see the prisoners in safe keeping. Del Olmo wrote the book which I have registered in a foot-note as my authority for this chapter. It was printed with all possible despatch "for the honour and glory of Spain" by the express authority of the King and the Inquisitor-General; with certifications of the usual authorities, all printed in full at the beginning.

Don Juan Gonzalez de Salcedo, oldest Inquisitor of Sevilla, prepared a manual for abjurations and absolutions, with a form of oath to be administered to the King.

Don Alonso de Arevalo Montenegro, a knight of

the famous Military Order of Calatrava, was to have refreshments provided to sustain the lords, the servants, and the dependents of the Supreme Council of the Holy Inquisition during the coming day of laborious attendance at the theatre.

At three o'clock in the afternoon of Ascension Day, May 30th, being the day of St. Ferdinand, the black standard of the Inquisition, bordered with gold, was hoisted in the chief balcony of the Palace of the Inquisitor-General, and the whole front of that edifice was covered with hangings of crimson damask. Flourishes of trumpets sounded at intervals from the windows, and were answered by the roll of drums outside for more than two hours. Then the grand entrance was thrown open, and a troop of servants and familiars rode out under command of an alguacil, and formed in front of the palace. The standard of the Holy Office, supported by two grandees, was brought to the head of the cavalcade, and in advance of all a herald waited. Being thus in marching order, the herald proclaimed as follows:—

“Be it known to all the householders and dwellers in this Villa of Madrid, and Court of His Majesty, who are now present and inhabit therein, that the Holy Office and Inquisition of the City and Kingdom of Toledo celebrates a public Act of Faith in the *Plaza Mayor* of this Court on the 30th of June of this present year, and that the graces and indulgences given by the Supreme Pontiffs will be granted to all those who attend and render help at the said Act. Let this be published, that all may know it.”

Then the brilliant squadron moved on, halted for proclamation at the chief places in the city, faced about before the royal palace, where the King and Queen were looking at them, and there repeated the proclamation twice. This done, they returned to the Inquisitors, where the banner was hoisted again, to be hauled down at sunset, and the horses were taken to their stables for the night.

On the 6th June, the King sent a command to the Supreme Council of Castile to issue orders to the Corporation of Madrid to erect, at cost of the city, a theatre for the celebration of the Act of Faith, according to a plan that would be given them by Del Olmo. The city obeyed, and the structure was finished by the 28th of the month. It covered a parallelogram of 190 Castilian feet frontage, and 100 feet depth, before the palace of the Conde de Barajas, with the floor 13 feet from the ground. There were three spacious galleries at the back and two ends; that on the back touching the balcony of the palace to be occupied by the King and the Queens. Three floors of the palace above the topmost seat of the theatre, being fully balconied, added much to the grandeur of the erection, and afforded the Court a perfect and commanding view of the horrid spectacle, including the *braseiro*, or burning-place, not far beyond. That burning-place must have been there since the Autos of 1621 and 1632,\* and was probably built up with solid masonry, resembling other hearths of the same kind, erected like furnaces of Tophet in that unhappy country bearing the name of Christian, but afterwards demolished. Its dimensions are given by Del Olmo, who describes it as a platform sixty feet square, and seven feet high, with a flight of steps seven feet wide. A large space was railed off in front of the theatre for its entire length, to be occupied by a strong military guard, so that if the people should happen to rise against their murderers, there would be some chance of protection for the latter. A broad staircase within the theatre provided access to refreshment rooms in the palace, and would serve well for covert retreat in case of danger.

On the 28th of the month the show began with a military faggot-march. A company of 290 "gentlemen" were sworn in as "Soldiers of the Faith," duly officered with Captain, Lieutenants, and Adjutant,

\* See pages 269 and 292, *supra*.

splendidly equipped and armed. Their first service was to assemble at the palace of the Inquisitor-General, march thence into the country by the gate of Alcalá, fetch wood, each man a faggot, and march back with faggots instead of knapsacks. Laden with faggots, these "gentlemen" came to the Royal Palace, where Charles II. was waiting in his closet. Thither a noble Duke carried him the Captain's faggot. His Majesty graciously received it, and carried it to his young French bride, Doña Louise Marie de Bourbon. The tender-hearted young lady took it into her arms playfully, expressed her pleasure, and the boy-king, as prompted, bade the Duke deliver that faggot again to the Captain, and charge him to throw it first into the flames while the Jews were burning. He bade him do it with ceremony in the King's name, praying that Charles II. might prove himself a worthy successor of Ferdinand III., who had left so glorious an example for the world to imitate by carrying wood to burn the Jews. The captain, proud of the honour of imitating one King at the command of another, stuck the faggot on his cane; each soldier mounted his own upon his pike, and away they marched with shouldered muskets to the Plaza, piled their faggots near to the *brasero*, and set a guard over the heap, until the hour should come to burn heretics on the second day after.

Next day, June 29th, came the *Procession of the Crosses*. The Green Cross, which distinguishes the Inquisition, was planted on an altar in the principal chapel of the Church of St. Mary of Aragon, surrounded with many lights, and adored by a large crowd of qualifiers, consultors, commissaries, notaries and familiars, making the place a rendezvous for the double purpose of devotion and assemblage before the march. Before five o'clock in the afternoon the soldiers of the Faith were drawn up outside the Church, lining the street in single file, right and left. As the clock struck five the church-door unfolded, the upreared green cross moved out, the company's flag drooped, the soldiers





venerate the feet that pressed her bosom." If there were many spectators,—which is rather doubtful,—they were very quiet. As he reports, all Madrid saw, with silent admiration, the grandeur of Spain serving in subjection to the Holy Office.

An indifferent spectator, if such an one there was, or could be, might, no doubt, look with pleasure on a procession of seven hundred persons walking solemnly with burning tapers in their hands. Pleasant to see such a company as we have here noted treading noiselessly, in the clear, cool eventide, and with fixedness of feature, circumspect, as if conscious that the all-searching, countless eyes of the most holy Tribunal—eyes that have already espied every action of their lives, noted down every gesture, every look, and read every thought or emotion involuntarily betrayed in their countenances—that those very eyes were fixed upon them then. The praise of circumspection awarded to the multitude by this enthusiastic Alcaide is equivalent with a boast that the dread of the Inquisition rested on the people, not excepting many who figured conspicuously in the procession itself. The precautions used for defence and for repression, even the provision made at the theatre itself for the grand folk to escape by back ways if necessary, all these were tacit confessions of mistrust—the timidity of a self-accusing conscience. The Spaniards are a demonstrative people, and always have been. They love to shout their *vivas* and proclaim their blessings. This dead silence of the city, only broken by the clang of trumpets, the roll of drums, the tramp of cavalry, the volleys of musketry—this mute circumspection, while hunger, as we learn from other sources, and sickness, were wasting the population, and while sedition, as it sprang up desperately on all sides, was nipped by the reeking sword, and while defection from the ruling Church was only to be stayed by the murderous vigilance of Inquisitors—all this dumb submission could only mean that the spirit of Spain was broken,

that the nation's royalty was prostrate, that her boasted grandeur was no more than strut and tinsel, and the only lingering vestige of her native nobility a timorous pride.

On the eve of the fatal day the white cross was deposited on an altar in the royal palace. The green cross was left standing in the Dominican convent. The procession hastily dispersed; the shades of night had fallen. But all this time, while the circumspect citizens were half terrified and half amazed, there lay in durance another community of mourners. Four score and eight souls were in the anguish of suspense between life and death. They had been picked from dungeons in Toledo, one by one, to be conveyed in darkness whither or wherefore they did not know.

By night, secretly, gagged, handcuffed, perhaps blindfolded, and carried under strong guard. By day shut up, they knew not where. By night, again, brought into Madrid by speechless guards, and carried straight to inner chambers in the houses of eighty-five sworn familiars, each of them, indeed, a grandee of Spain, yet a wretched vassal of despotism, and still kept out of sight of the inmates of the dwelling, on this Saturday night. Now they are surprised with the strange and portentous offer of an abundant supper, which they might eat who would, but it was a meal unblest. The Holy Office, with cannibal benevolence, only fed those in earnest whom it was going to kill outright.

About ten o'clock that night, when the streets were black as the robe of a Dominican, carriers brought them from all quarters of the city to the common gaol, which had been vacated for them, and placed them there in cells apart. Twenty-three of them had been adjudged to die, although they knew it not; but now they were to be told. The Chief Inquisitor of Madrid, one Don Antonio Zambrana de Brolanos, with an Italian secretary, went into each of the twenty-three cells, and abruptly read to its inmate,

from a paper, thus:—"Brother, your case has been seen and advised on with persons very learned, and deeply versed in science. Your crimes are so grievous, and of such bad quality, that for due punishment, and for an example to others, it has been adjudged that you shall die to-morrow. Prepare yourself, and be in readiness, and here are two religious persons to help you to do it properly." He had not time to say much more. A few sharp words, perhaps. Then two preaching friars were locked up with the poor sufferer in the cell, there to stay till morning, and persuade or worry him into something like submission to the Church: not that his life might be spared, but that he might die by strangling, not to *taste* the fire. After placing two friars in each cell, the Inquisitor posted two armed familiars outside the door, and proceeded to the next to do the same, and so on to the last, repeating the ceremony everywhere alike.

Having visited all the condemned cells, Don Antonio sent a pretty large supply of wine and cake to the friars and prisoners whom he had left together, to keep up the spirits of the former for disputation, and to soften, if possible, the obstinacy or firmness of the latter. Having given wine to them that were ready to perish, he was not less careful to provide refreshment for a numerous party of Inquisitors waiting near at hand to receive any that might be brought to make submission. Two women came, and were reconciled to "Holy Church." Contrary to custom, those two persons were permitted to live, but the reason of such unusual clemency was obvious. This *Auto* was *very* special. Del Olmo was taking notes of every circumstance, with instructions to prepare a report for publication, and it would suit their purpose well not to handle all the reconciled penitents as usual, but be able to show two instances of decision bearing a tinge of mercy. So those women had the penalty of death commuted into life worse than death, under the gentle description of perpetual imprisonment.

Now to the Auto proper.

While the night passes, workmen are closing up the street-ends along the line of procession from the gaol to the *quemadero*. Strong boardings will keep off the crowd, but some chinks are left for the curious to peep through, catch a glimpse, and receive an impression of that reverence for Inquisitorial pomp and power which it is desirable to keep alive, if possible.

Before dawn of day the servants have to begin their work. They have to visit all the cells, and take garments of ceremony to all the prisoners. Twenty-one are now to be clad in preparation for the fire; and for each of these there is a *coroza* painted over with red flames and black devils. Del Olmo, writing for the outside world, gives those hideous figures the less offensive name of dragons! A *zamarra*, or piece of sheep-skin, with a hole cut in it, to admit the head, is to fall on the shoulders, and hang down before and behind, painted in like manner. Ninety-nine were furnished with *sambenitos* only, and *corozas*, without flames and devils, to show that they are not given over as incorrigible, and may live, but have yet much to suffer. When so dressed, they are marched out of their cells in silence, and in due time the condemned have a plentiful breakfast set before them, which they may eat, but must eat it in silence.

Two *alcaldes* have the care of these proceedings, and will be on duty through the day. To each of these are given two papers in duplicate; one with a list of all the culprits, and the place of each in the procession; the other with a similar list, and the order for calling on them to receive sentence in the theatre. At five o'clock they begin breakfast, and at six the procession should be in motion, but that is impossible to-day, for the way is not yet clear. In spite of all precautions, thousands have crowded the street, and are pressing round the great gate to get a sight of the prisoners. No press of people incommoded the *grandees*, and priests, and inquisitors when

they exhibited themselves in streets, broad or narrow, yesterday. The faggot-march on Friday attracted few spectators, for aught that we read in Del Olmo. The grand procession of the crosses was let pass in silence, with plenty of room, without ruffling one robe, or putting one menial out of step. But here is the resistless attraction. People must have found their way to Madrid from distant places, and the families out of whose bosoms those hundred and twenty were stolen, and the neighbourhoods whence they disappeared, doubtless contributed many to make up that anxious multitude. Can it be believed that with the unequalled love of race and kindred that distinguishes the Hebrew, there were not many covert Jews waiting there that morning for the bitter satisfaction of getting a last look, and making a parting sign to kinsmen whom they would see no more until the Day of Judgment? Who can tell that many a Hebrew did not then reproach himself for not having openly made an honest profession of Judaism instead of a false pretence of what must have been to their common experience more cruel than the superstition of the Berber, or the fanaticism of the Moor? True Christianity they had never known. But at length the crowd gave way. The march of death began.

The doings in Madrid on that desecrated Sunday, as they are described by Del Olmo, were intended to represent the solemnities of the Day of Judgment. On that day of resurrection and gladness, six score human beings were declared guilty, guilty in various degrees, yet none were to escape penalty in this world, and many, if the Inquisitors could be final judges, were not to escape punishment in the next. Twenty-one were to be looked upon as damned already. Seven Inquisitors, with their myrmidons, were exhibited as living images of the *seven* angels who, as they were pleased to count, shall separate the wicked from the just in that awful day. The Inquisitor-General, seated on his lofty throne, appeared as the image—the

Alcaide really says it—of the Judge of quick and dead. The Plaza Mayor of Madrid, with the ceremonial there enacted, was to represent the Valley of Jehoshaphat; and the flaming *brasero*, Hell itself. The life-long imprisonments with their unsearchable horrors, the unnumbered lashes, and unpitied griefs, were to resemble the salutary pains of purgatory; the green olive-branch on the banner, an emblem of mercy; and the red sword, of justice. But here is the order of that last procession, devised for gladdening the hearts of the young King and Queen of Spain.

*The Soldiers of the Faith* open the way with their lances.

*The Cross of the Parish of St. Martin* veiled in black.

*Twelve Priests* wearing snow-white surplices in sign of innocence.

*Thirty-four strong men.* Each one of these athletic porters carries the effigy of a man or of a woman, who, by death or by flight, has escaped from the grip of the Inquisition, and must be caught and killed, or haunted to death with infamy.

*Ten parties of men*, each party carrying a coffin, or a box, which contains the corpse of a deceased heretic. The corpses and the effigies will be burnt together.

*Eleven Penitents.* These have been variously guilty, some of bigamy, some of witchcraft.

*Fifty-four Judaisers.* These persons pass for penitents. They have not yet relapsed, but are to be subjected to sore penance and narrowly watched.

*Twenty-one relaxed.* Heretics, relaxed, or doomed to be delivered over to the fire. They wear the disgusting livery already described. Twelve of them are so stubborn that it is feared they will speak, and divulge the secrets of the torture-chamber or the dungeon. They are, therefore, gagged and manacled. All the seventy-six living victims,—forty-four having fled or died,—come one by one, each carrying a taper, and each with one monk on the right hand and another on the left, *reducing*, or *comforting* him, that is to say, reducing him to submission to the church, if they can, or comforting him if he has already submitted.

	{ <div style="display: inline-block; vertical-align: middle; text-align: center;">           The Alguacil Major of Toledo.            Inquisitors of Toledo.            Inquisitors of Madrid.            THE SUPREME COUNCIL OF THE INQUISITION OF SPAIN.            THE STANDARD OF THE FAITH.         </div> }	
Grandee		Grandee
Familiars.		Familiars.

A long train of dignitaries, ecclesiastical and civil, not being inquisitors, close the procession, and the "triumphant march" to the Theatre has been performed with "wonderful silence." Housetops covered, windows filled, streets lined with people who are said to have been attracted by *pious curiosity*.

When they reach the Theatre, the whole procession—soldiers excepted, who remain below on duty—ascends the platform, and with some difficulty all its members are fitted into their places. Valladares, Inquisitor-General, assumes a posture of the greatest possible dignity, or, at least, is so described by his fulsome reporter. As soon as all the seats are taken, he quits his throne, approaches the altar, and being there robed in pontificals, majestically ascends the gallery to the royal balcony. A deacon hands him a book containing the oath to be administered to the King, who stands uncovered, having one hand laid on a crucifix, and the other on the Gospels, while the Chief of the Spanish Inquisition reads, with magisterial emphasis:—

"Your Majesty swears and promises, on your faith and royal word, that as a true and Catholic King, set up by the hand of God, you will with all your power defend the Catholic Faith which the Holy Apostolic and Roman Mother Church holds and believes, and will see to the conservation and increase of the same; and that you will persecute, and command to be persecuted, heretics and apostates that are contrary to the same; and that you will command to give, and will give, the favour and help necessary for the Holy Office of the Inquisition, and ministers of the same, in order that heretics, disturbers of our Christian religion, may be taken and punished, according to the sacred rites and canons, without any omission on part of your Majesty, or exception of any person, of whatsoever dignity that person may be."

The King said, "I swear."



Then Valladares, returning to the altar, performed a Mass.

After Mass, a preacher mounted the pulpit, and read aloud a very long and very stringent form of oath to be taken by all present, and when it was finished called on them all to swear, by saying with a loud voice the word Amen. Doubtless every one was anxious that his next man should hear him say it, and the vast multitude, as of necessity sent forth one deafening AMEN.

Then the appointed preacher, Tomas Novaro, a Dominican, knelt to the Inquisitor-General for his blessing, which being given, he entered the pulpit, and pronounced the favourite text, "Arise, O Lord, and let thine enemies be scattered." The Sermon is very long, and foolishly declamatory. He concludes with congratulating the Inquisition "for putting to death those horrid enemies of God whom we behold in this theatre; some by taking away the life of their errors, so reconciling them to our Holy Faith by the acknowledgement of those errors; others by condemning them to the fire for their obstinacy, where losing their bodily life, their stubborn souls will immediately go to burn in the fire of hell, so that God will be avenged of His greatest enemies; others admonished by this warning, the Holy Tribunal abiding glorious, and we confirmed, and more and more deeply rooted in the Faith, which, accompanied with good works and grace, shall be a sure pledge of glory."

Now Valladares rings a bell, and at this signal the sentences are read in the order prescribed, but the text of those sentences is not fully given by Del Olmo, who volunteers a very significant acknowledgement that he has omitted what he thinks it not so wise to publish, and thus leaves us at liberty to believe that, with equal discretion, he has retouched his narrative wherever it may not be so wise to tell the truth. As each sentence to death was read, the subject of it was put into a cage that stood ready on the stage of this horrid theatre, that he might be carried away in it

without any risk of disturbing the noble audience by any gesture of reluctance. One man and one woman answer to their names by begging to be reconciled to the Church. They are reconciled; but that moral death at which the preacher hinted is nevertheless accomplished by consigning them to perpetual imprisonment for their souls' sake. *Nineteen*, therefore, will be burnt alive, instead of *twenty-one*. The remains of ten persons, most of whom, or all, may have been long time dead, are also to be burnt, but as they would be laid on the face of the brasero, and not exposed to the full strength of the fire, it is not improbable that the pieces of bone found in the mound of the Plaza in the year 1869 may have been theirs. Two were the remains of Christian heretics, eight of Jews. Eighteen Judaizers, or persons of Jewish descent, were burnt alive, and one Morisco, for practising the Mohammedan religion.

We are told that great care was taken to exemplify the delicacy of sentiment, and fine sense of decorum which characterize the most holy Inquisition. Plenty of space was allowed for the stakes to stand well apart, with plenty of firewood to cover up the living bodies out of sight. The faggots were to be lit up quickly, and all at once, that the work might soon be over. The nineteen were heaved off the platform in their cages, as soon as ever the word to remove them was pronounced; and the soldiers of the faith who—like the mighty men in the Book of Daniel—went with them to the fire, helped, no doubt, to put on the iron collars with dexterous dispatch, hook them to the stakes, and cover them up with combustibles. The gallant captain, of course, threw the royal faggot first, and their faggots all went in at one fling after it. This entire operation was admirably decorous, no doubt, and finely delicate!

The breath was out of all the bodies in reasonable time, that is, about half-past nine at night. The King left a few minutes earlier, that is to say, when there

was nothing more to be seen worth seeing. Valladares, being tired, they carried away in a chair,—it should have been a cage,—and the great people of the theatre went home “rejoicing.” Del Olmo was too busy about affairs there to think much of what went on at the brasero, and he inscribes in this dark page of Spanish history that young King Charles the Second displayed exemplary patience. His Majesty endured the heat, excitement, and noise of a long day to admiration! People looked up to him with wonder, and he often lifted up his hands—like a good boy—to let them see that he was not tired of the sight. Why should he be? We are told that the refreshments were excellent, the supply bountiful, so abundant that they were even shared by some who had no right to them.

Men were employed to keep up the fire until nine o'clock next morning, that nothing might remain visible except an even surface of ashes, with sufficient depth. No calcined bones lay uncovered to offend the eye of a Castilian cavallero; as for the penitents, they were taken back to gaol, to be transported at leisure to Toledo, there to undergo the penances determined.

Earth in abundance was laid upon the fiery bed. Rank weeds clothed it quickly after the November rains. No monument stood to tell the names of those heretics, and in due time public vengeance rifled or destroyed the secret records of their offences, and a glosed report, revised and published by the chief murderers, is perhaps all that the world has seen to tell how decorously, and with how tender mercy their spirits were set free from the earthly prison-house, and how bravely King, Queens, Princes and Priests endured the fatigue of killing their poor bodies in due form and state. That generation rapidly passed away, the murderers departing one by one, each to answer for his own deed at the supreme tribunal of that festive *Auto* at Madrid, which was profanely said to be an image of Heaven, and to learn how far, on the contrary, it resembled Hell.

## CHAPTER XX.

## SPAIN.

## THE INQUISITION ABOLISHED FROM 1812 TO 1814.

NAPOLEON BONAPARTE had succeeded in embroiling the royal family of Spain. Charles IV. abdicated, and his son Ferdinand VII. received the crown. This was brought about by the nefarious contrivances of Napoleon and his agents; and every true Spaniard regarded the foreigners with abhorrence. The Pope did not smile on the leader of European revolution; and the Inquisition, of course, refused to commit itself to the French influence which had become paramount in Madrid. The Inquisitor-General, Don Ramon de Arce, choosing rather to bend than break, resigned his office (March 23rd, 1808) to young King Ferdinand, whom Bonaparte induced to retire into France. Nevertheless, the Council of the Supreme asserted their power to act without a General, in case of his death or incapacity: but it is not likely that they could really act; and as for their inspecting books brought over the frontier, that was impossible. French books, infidel and revolutionary, were brought in by thousands; Spain was deluged with foreign influences, and patriots and priests were alike helpless.

In a few more months the imperial standard crossed the Bidasoa. Bonaparte carried all before him. On the 2nd of December he entered Chamartin, a village but one league from Madrid; established his headquarters there, and sent troops to take possession of the capital, and demand the submission of all public bodies. The Council of the Inquisition had courage

to refuse; and, on receiving information of their passive resistance, he took a pen, and wrote on a slip of paper, in very few words (December 4th), an order to arrest the Inquisitors, abolish the Inquisition, and sequester the revenue. Some of the Inquisitors escaped; their brethren who could not effect a flight were carried prisoners to Bayonne; and thus the invader of Spain did what some of the best sovereigns of Spain, especially Charles III., had often wished, yet never dared, to do. Probably this is the only act of Bonaparte that good Spaniards could approve; but as they could not honourably accept anything from the hand of a usurper, not even deliverance from the Inquisition, as soon as ever a Council of Regency could be formed to administer government and conduct war in the name of the captive King, they instructed one of the fugitive Inquisitors, then in Cadiz (August 1st, 1810), to assemble as many of his colleagues as possible, and, in form at least, resume the functions which had been interrupted by the invasion of the enemy. Constituent Cortes then assembled in Cadiz (September 24th); and, in pursuance of the Act of the Regency, enjoined several formalities from time to time, apparently tending to effect a complete restoration of the tribunal.

But all those acts were no more than formal. In preparing a new fundamental code for future government, the leading statesmen deliberated on the relations the temporal and spiritual authorities ought to bear to each other; and, as a first measure, framed an article of the new Constitution which, though excessively intolerant, was constructed to serve an important purpose. It ran thus:—"The religion of the Spanish nation is, and shall be perpetually, the Catholic, Apostolic, Roman, only true. *The nation protects it by wise and just laws, and prohibits the exercise of any other.*" The same Cortes, in preparing a coronation oath, provided that the Sovereign should swear to "defend and preserve the Roman Catholic Apostolic

religion, without permitting any other; and the hottest bigots might, therefore, have thought their cause secure. Meanwhile, both Cortes and Regency took measures for the restoration of the Supreme Council. But there were some, even in those Cortes, who spoke freely in behalf of religious liberty; and a yet larger number of deputies professed their hope, notwithstanding the present enactment of perpetuity to Romanism, that the new code would soon be succeeded by a better, and that Protestants would, in good time, have permission to build churches for themselves in Spain.

This policy was questionable. It is acknowledged, indeed, that a Government, or legislature, consisting entirely of persons who professed themselves members of the Church of Rome, could not be reasonably expected to discountenance their own religion. Yet they did greatly discountenance it by avowing a hope that the religion of Protestants might be eventually protected in Spain, at the same time that the highest authorities and most zealous ministers of their Church taught that it would be absolutely sinful to allow such a desecration of the soil of that purely Catholic country. The teachers of the religion, whose perpetuity and sole occupancy they decreed, inculcated the utter extirpation of every other form of Christianity, and capital punishment of every dogmatizing heretic was commended as most pleasing in the sight of God. This religion the Cortes decreed perpetual, and pronounced it the only true, at the same time that nearly every member of the Cortes zealously maintained the contrary. In short, they were themselves heretics in the sight of the Church and to our mind they were but temporisers, or little better. Temporising and equivocation, however, had for ages overrun their church, until it became a school of worldly equivocation. Born in such a school, the Spanish legislators could not disentangle themselves from its casuistry, nor had they found any standard of practical integrity.

As matters then stood, the Council of the Supreme might have been at once re-established but for the precipitancy of the Inquisitors themselves, who would not condescend to be instructed as to the constitution of their body and the extent of their jurisdiction, but coolly notified to the Regency (May 16th, 1811) their own intention to reconstitute themselves—just as coolly as if they were going to the humble magistracy of a country-town, to invite them to the celebration of an Auto. The Regency were too sensible of their own responsibility to tolerate such open insubordination, and had too much reason to distrust the loyalty of some of them. They therefore forbade them to act at all without further authority. The whole matter was then remitted to the consideration of a special commission; but the commissioners, instead of preparing a plan for the guidance of the Holy Office, were divided on the question of its compatibility with the constitution of the kingdom. After much delay, the subject daily assuming an appearance of greater complication, the Cortes ordered their Committee for the Constitution, which was not yet completely framed, to entertain that fundamental question, and report thereupon. They undertook the service amidst general anxiety; the laity, on one side, desiring the abolition of the tribunal, and most of the clergy dreading the event if that main support of Popery were taken from them.

At length (December 8th, 1812) the Committee presented an elaborate and profoundly-interesting Report, containing a review of the history of the Spanish Inquisition, gathered from its earliest and most authentic records, so far as such records were then accessible; and concluding with a declaration that it could not be re-established consistently with the liberties of Spain. The document is extremely valuable, and on the present question speaks thus:—

“This is the tribunal of the Inquisition; that tribunal which is not dependent upon any in its proceedings, but in the person of the Inquisitor-

General is sovereign, since he dictates laws for judgments wherein sentences to temporal punishment are pronounced; that tribunal which, in the darkness of night, drags the husband from the side of his wife, the father from the arms of his children, the children from the sight of their parents, who are without hope of seeing them again until they be absolved or condemned, without power to contribute to their defence, and that of the family, and with no means of knowing that, in truth and justice, they ought to suffer punishment. And, after all this, besides the loss of husband, parent, child, they must suffer the sequestration of their goods, the confiscation of their estates, and the dishonour of their family. And can this be compatible with the Constitution, by which order and harmony have been established between the supreme authorities, and in which Spaniards perceive the shield that must preserve them from the attacks of arbitrary power and of despotism?

*“First:—*It is not compatible with the sovereignty and independence of the nation. In the judgments of the Inquisition the civil authority has no influence; for Spaniards are imprisoned, tortured, and condemned to civil penalties, without any intervention of the secular power; prosecutions are instituted, trials conducted, proofs admitted, and sentences pronounced, according to laws dictated by the Inquisitor-General. How, then, can the nation exercise its sovereignty in judgments given by the Inquisition? It cannot exercise it at all. The Inquisitor is himself a sovereign in a sovereign nation, and beside a sovereign prince. He dictates laws, he applies them in particular cases, and he watches over their execution. The three powers which the Cortes have wisely regulated in the Constitution given for the happiness of Spaniards, are united in the Inquisitor-General, together with his Council, and make him a real sovereign, without any of the modifications established for the exercise of the national sovereignty; a thing the most monstrous



that can be conceived, and that destroys the very first principles of national independence and sovereignty."

After establishing these positions by a comparison of laws and facts, the Commission asks, —

"Has not Napoleon filled France with bastilles, where free-born men, without number, lie groaning in fetters, having been arrested by a police whose manner of proceeding differs in no respect from that of the Inquisition? There, as here, the accuser is not known, the names of witnesses are not known, the cause of imprisonment is not told, and sentence is executed in outrage of all justice. This is the liberty and independence of France with the police of Napoleon; and this will be ours too, if Inquisitors may accommodate the liberty and independence of Spain to the Inquisition. What Deputy will then be able to speak against the will of the Prince? Who shall declaim against arbitrary administration, and the unlawful acts of a sagacious and revengeful Secretary of the Home Department, or dare to bring him to his responsibility? Who, like Macanaz, will defend the rights of the nation against the influence of Alberoni? Will he not have reason to fear that envy and hate will load him with calumny, and bury him in the dungeons of the Inquisition? Undoubtedly he will. Members could not utter their opinions freely in face of the Inquisition. The Cortes cannot exist together with this establishment; and that cannot be compatible with the sovereignty and independence of the nation which annihilates in Cortes the national representation on which that sovereignty and independence rests.

"Neither is the tribunal of the Inquisition compatible with personal liberty, for the assurance of which various maxims have been sanctioned in the Constitution that are opposed to this establishment." The provisions for preventing arbitrary imprisonment are then enumerated. "But what liberty," asks the Commission, "do Spaniards enjoy in the courts of the

Inquisition ? They are taken to prison without having seen their judges ; they are immured in dark and narrow cells ; and, until their sentence has been pronounced, they are allowed no communication. At such time and manner as may please the Inquisitors, they are asked to make a declaration ; they are never told the name of the accuser, if there be any, nor the names of the witnesses that depose against them ; scraps of the evidence is all that is read to them, and the depositions themselves are disguised by being written in the third person. In the tribunal of the Faith of God, who is Truth itself, all truth is violated, in order that the prisoner may not come to know the enemy by whom he has been slandered and persecuted. The cause is never published, but sealed up in the Secret of the Inquisition ; so much is extracted from it as seems good to the Inquisitors ; with that only there is made a publication of proofs, and the person treated as a criminal is invited to ground his defence on that, pleading for himself, or through an advocate that has been given to him, or to object to the witnesses. But how can he object to persons whose names he knows not ? The unhappy culprit is bewildered with thinking, remembering, suspecting, guessing. He forms rash, hasty, and false conjectures. He struggles with his own conscience, with his sense of honour, with his affections of friendship, trying to discover the covetous person who has sold him, the ambitious one who has sacrificed him, the false friend who has betrayed him with a kiss of peace, the lewd one who could not freely satisfy a brutal passion. *'I feel the pain,'*—so cried the innocent Fra Luis de Leon,—*'I feel the pain, but I cannot see the hand, nor is there a place for me to hide or shelter me.'* At this point, the Commission, overwhelmed with horror and amazement, knows not in what language to find utterance. Priests, ministers of that God of peace and charity who went about doing good, are they who decree the torture, and are present at its infliction, to hear the piteous cries of

innocent victims, or the execrations and blasphemies of the guilty! It is inconceivable, Sir, how far prejudice can fascinate, and false zeal can lead astray."

The Commission added to their Report a project of law that passed the Cortes, after a debate protracted from December 8th to February 5th.\* By that law the tribunal was abolished, it is true, but the murderous principle of the Inquisition was most fully recognised. The civil power partially sustained its own jurisdiction, and but partially, still leaving heretics to suffer. Men were ashamed to find such a law enacted in a European Parliament in the year 1813, and sorry to find that until the revolution in the year 1868 it continued still in force, with the aggravation that, by a Concordat between the Pope and Isabella II., Queen, the clauses that would have restricted the ecclesiastical judges were divested of force. But as for the law of 1813, "the General and Extraordinary Cortes, desiring the provision made in the twelfth article of the Constitution to be carried out to the fullest effect, and the faithful observance of so wise a measure to be insured for the future, declared and decreed the following articles:—

"Art. 1. The Catholic, Apostolic, Roman religion shall be protected by laws consistent with the Constitution.

"2. The tribunal of the Inquisition is incompatible with the Constitution.

"Therefore the Law ii., title xxvi., partida 7, is re-established in its original force, inasmuch as it leaves free the authority of the bishops and their vicars to take cognizance in matters of faith, agreeably to the sacred Canons and common right; and that of the secular judges to declare and inflict on heretics the penalties which the laws determine, or which shall be determined hereafter. The ecclesias-

\* The whole Discussion was reprinted from the Diary of the Cortes, "*Cádiz: en la Imprenta Nacional.* 1813 "

tical and secular judges shall proceed in their respective cases according to the Constitution and the laws.

"Every Spaniard is at liberty to accuse of the crime of heresy at the ecclesiastical tribunal: in default of accuser, or even if there be one, the ecclesiastical fiscal shall take the place of accuser."

Articles 5, 6, and 7 regulate the respective action of the secular and ecclesiastical officers. Art. 8 makes it "lawful to appeal to the civil authority in the same manner as in all other ecclesiastical judgments;" and the last article is almost the reproduction of an old inquisitorial regulation.

"9. When the ecclesiastical judgment shall have been given, a statement of the case shall be forwarded to the secular judge,"—this, however, practically supersedes the *Auto-de-Fé*,—"and the criminal shall thenceforth remain at his disposal, in order that he may inflict on him the penalty which may be allowable according to the laws."

The *partida*, cited in this "decree for the establishment of tribunals protective of the faith," provides "that heretics be burnt, with exception of those who are such in the lowest degree; who, not being yet formal believers" in the heresy, "have to suffer perpetual banishment from these kingdoms, or imprisonment till they repent, or turn to the faith." Other penalties, like those in use by the Inquisition, are minutely prescribed.

A second chapter in this decree supplied a substitution for the second part of inquisitorial jurisdiction; which is, uniformly, the censorship, suppression, and prohibition of books. The King, it was provided, should appoint literary Inquisitors in the frontier custom-houses. A system of censorship, slightly mitigated, was to prevent the publication of heresy in Spain. The Council of State was directed to perform, in conjunction with ordinary Cortes, and under the royal sanction, the functions of a Spanish branch of the Congregation of the Index. By this arrangement

it was intended that a current Prohibitory Index should perpetually hide every ray of evangelical intelligence from the public eye.

The clergy might in conscience have been satisfied with this enormous power to banish, to confiscate, and to suppress; but a considerable number of them, headed by the Papal Nuncio, refused to acknowledge the new law, and attempted, even while the enemy was within their borders, to stir up an insurrection on behalf of the suppressed Inquisition. But they failed, and the Nuncio, with several others, was banished out of Spain.

Ferdinand VII. returned in the summer of 1814, and was no sooner established in Madrid than he arrested the members of the Cortes who had come up from Cadiz; although to them and the Spanish people, powerfully aided by the arms of Great Britain, he owed restoration to his throne. He caused those men who had so bravely stood by the monarchy,—which he himself placed under the feet of Bonaparte,—to be visited in the dead of the night, dragged from their beds, and carried away to dungeons, in perfect inquisitorial fashion; he declared that they were all infidels and rebels, and issued a decree (July 21st) to restore the tribunal of the Holy Office.

A Council of the Supreme was again assembled in Seville, which issued instructions to its agents in Spain and Spanish America (Feb. 12th, 1815). In due time a new Inquisitor-General, Francisco Xavier de Miery Campillo, Bishop of Almería, issued more copious instructions, with a long list of prohibited books. Already, after but a few months had been spent in endeavours to repair the shattered fortunes of the establishment, the General tried to revive the ancient customs by issuing an Edict of the Faith. But it was not possible that an *Auto* of the ancient sort should be seen again in Spain. Few persons, if any, thought it advisable to present themselves, as informers, at the offices of the new Inquisitors.

But Campillo absolutely controlled the press. Every good writing was promptly prohibited, and its writer mercilessly punished. On the contrary, the most savage propositions were circulated with the undisguised favour of the new Inquisitors. It was incessantly taught in print, that every Frenchman caught in Spain, and every Spaniard maintaining French opinions, ought to be assassinated—that the property of such persons should be confiscated or destroyed—that oaths taken during the time of the Constitutional Cortes ought to be broken—that priests and friars would do well to carry arms, if it were only to kill Frenchmen and Spaniards of French opinions—that all who died fighting the French, &c., were martyrs for the faith, and should be revered accordingly—that eternal hatred and inexorable vengeance in the cause of the Pope and the King were praiseworthy—that no person of opposite opinions should be absolved, not even on his death-bed. Many learned and estimable Spaniards fled for refuge into foreign lands, where they might hope to employ the remainder of life in free utterance of their thoughts, and then die in quiet without the annoyance of confessors.

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## CHAPTER XXI.

## SPAIN.

## INQUISITION REVIVED FROM 1814 TO 1820.

THREE *Causas*, among papers found in the Inquisition of Seville, in 1820, and lent me by Mr. Wetherell, an English merchant, together with the *Cartilla*,\* serve well to show how the questors of the faith did their business, during their six years of office in the reign of Ferdinand VII.

*The first case* is that of a Freemason, Don Ventura Ruiz Huidobro.

When the French were in occupation of the city, before the return of Ferdinand from France on the fall of Bonaparte, they found the palace of the Inquisition vacant, and not only made use of it as a prison, but appropriated some of its apartments to the uses of a Masonic lodge, and there admitted a few Spaniards into their fraternity. On the return of the King, and the re-establishment of the Holy Office, care was taken to find out those Spanish Masons; and as Freemasonry was considered to be a species of heresy, those new members of the Society were dealt with as heretics. Huidobro was the first of them conveyed to prison, and he could not have lain there without trial less than a year. In hope of mercy, perhaps, he made what they call a *spontaneous* information against himself, and the narrative he gave of his Masonic adventures fills twelve pages of manuscript on foolscap paper. According to this document, Lieutenant-Colonel Don Ventura, spontaneously and with the greatest respect, felicitates the chief Inquisitor on the

\* Appendix, No. I.

re-establishment of the Holy Tribunal, as had been *desired*. He relates that, some time in the spring, after the entrance of the enemy into Seville, a French officer, whom he had formerly known, invited him to see an apartment beautifully fitted up for the performance of some ceremony. After a little conversation, he accepted an invitation to remain; and when his curiosity was raised by the passing of several persons, with an air of reserve, into an inner room, the officer and another gentleman told him of a brotherhood, consisting of respectable men, associated for purposes of mutual benevolence, which counted as members popes, kings, bishops, and other persons of the highest rank, to the exclusion of all on whom there was the slightest stain of reproach for immorality. St. John of Scotland and St. Joseph of Italy gave the Society their names; and, so far was the brotherhood from being opposed to holy religion, and to king and country, that none could be received into its bosom who did not acknowledge the being of a God.

The Colonel had heard of those Freemasons, about twenty-two years before, in silent wonder: now came the time for him to judge of them for himself, and he could not resist a powerful inclination to be enrolled among them. The ceremonies that followed are described, whether truly or not, with a minuteness that must have been very gratifying to the curious questioners. The revelation of one secret gave sincere pleasure to the close keepers of another; but better still was the disclosure of several names, some of them belonging to persons of high station, who fraternized, within the very walls of the Holy Office, with workmen from a neighbouring tanyard. French and English, in spite of war, met together there without distinction of rank or country, "free and accepted" all!

After the departure of the French, Huidobro heard that there were Bulls of excommunication hanging



over all Freemasons; and, by advice of his lawyer, he awaited the "happy re-establishment" of the Holy Office, with intention to inform against himself, and pray for absolution; "assuring the Inquisitor that he only consented to be made a Freemason through curiosity, and with a desire to discover the monstrous mysteries that were celebrated in their meetings, to gain any intelligence that might be useful to the lawful Government, and communicate it to the Intendant, Don Juan de Igéa, with whom he was in secret correspondence. But he had not witnessed anything, as he said, contrary to religion or to the country. He protested repentance of anything that might have been offensive to God, and prayed for the Inquisition to absolve him from the crime, and to prescribe such penance as they might see fit."

This "spontaneous information" is dated on the 3rd of May, 1814; but it was not until the 21st of April, 1815, that Huidobro appeared before the Inquisitor, Carassa, in the hall of audience. Of course, he must have been kept in prison during the interval, and at the latter date was declared suspected of heresy *de levi*,—that is to say, lightly,—and released on condition of performing an easy penance. This was a great indulgence; but the indulgence was purchased by his betraying all the Freemasons in Seville, after himself suffering one year's imprisonment.

*The second case* is that of Richard Deacon ("Dikon") an English Quaker.

Mr. Deacon visited Bilbao, probably on a commercial voyage, and there fell in with one Andrew O'Ryan, an Irish Dominican monk. The monk was ambitious to convert the Quaker; and the latter, whether sincerely or not none can say, suffered himself to be taken under instruction, and catechised by Brother O'Ryan. The brother, not expecting any mishap, went forward confidently, preparing the Friend and catechumen to receive baptism; because, as the Inquisitors are told in this paper, "the sect of

Quakers neither acknowledges nor receives this sacrament." The commissary of Inquisition of Bilbao, the parish-priest, the catechist O'Ryan, and the Quaker Deacon, were in active correspondence with each other concerning a solemn baptism, at which the bishop was to preside, when suddenly the pretended convert disappeared. Not a trace of him could be found, but the recorded correspondence shows how the "Police of Conscience" proceeded with their search. Here are,—

1. A letter from the commissary of the Holy Office in Bilbao to the Inquisition of Logroño, reporting that Deacon had renounced Quakerism. The letter, dated October 23rd, 1817, contains an account of the exertions made for his conversion, with copy of a "spontaneous declaration and protestation of our holy faith" which he had signed, O'Ryan acting as notary and interpreter. This indicates that the Inquisition proceeded against him as a heretic, regardless of his being an Englishman and Protestant, and in contempt of a treaty between England and Spain, by which he was entitled to exemption from penalty or interference of any kind, so long as he did not openly attack Romanism.

2. The abovesaid letter is recited by two of the Inquisitors of Logroño, in a letter to the Holy Office of the Inquisition of Seville; who state that, on the 20th of December, the bishop whom they had desired to provide for the due solemnization of the baptism, reports that Richard Deacon has absconded, and that it is impossible to say whither he has gone. The Inquisitors use all possible diligence to find him; but the commissary writes again, on the 3rd of February, to say that his efforts have been quite fruitless, but that O'Ryan thinks the fugitive may have found his way to Mr. Nathan Wetherell, of Seville; a gentleman who, together with the people in his employ, was honoured with the most watchful attention of the Holy Office. "We therefore pray you," they say, "to

employ a servant whom you can trust (*ministro de su confianza*), to enquire whether the said Richard Deacon has really arrived at the said leather-factory, and in that case do with him what you think fit; and give information of your proceedings, with such orders as you may please to send. You will observe that the said Richard is twenty-seven years of age, of middle height, fair complexion, marked with small-pox, fine eyes, and a noble countenance." (Dated at Logroño, February 26, 1818.)

3. José Berdugo, secretary of the Inquisition of Seville, acknowledged the receipt of the letter, answering under date of 10th March, and promised to make search, and report accordingly.

4. On the 28th of May the Inquisitors of Seville directed one of their number to write to Logroño, saying that they had employed six persons to search for Deacon in Mr. Wetherell's establishment, and from each of them he found that the man had not arrived there, nor had any one there the least knowledge of where he might be found. He seems to have pretended conversion to Popery, in order to cheat the Inquisition—a proceeding that nothing could justify; and escaped their clutches, which was more than he deserved. Probably he found his way back to England.

*The third case* is not one of religion, but of politics. But it has a character of peculiar interest, as indicating how the Spanish Inquisition, in the time of Ferdinand VII., was made use of by the State as an engine of police. It shall be described in the order of dates in the several papers of the bundle. The first paper is a written circular of the Supreme Council of the Inquisition in Madrid, which I translate in full.

"Through the Ministry of Grace and Justice, it has been communicated to this Council by royal order, with date of the 27th of July last, that various prelates and authorities of the kingdom have received, under the post-mark of S. Roque, in Lower Andalusía, a

subversive and seditious printed paper, announcing the publication which was to be made in London of a weekly periodical, with the title *El Español Constitucional*, 'The Constitutional Spaniard.' That the Royal Council" (an administrative board that was revived, like the Council of the Inquisition, on the return of Ferdinand from his French captivity), "as soon as it had notice of this occurrence, dispatched opportune orders to the Regents of Chanceries and Royal Audiences, the Captains-General of Cadiz and Galicia, the Governor of Santander, and the Corregidor of the Lordship of Biscay, in order to prevent the introduction of the aforesaid paper into these dominions, by seizing, in the King's name, as many copies as may have been introduced up to this time, and of which they may have been able to get information, and by remitting them all to the Council itself, with a punctual account of the results of this grave and important charge, and whatever information on the subject they may be able to collect. That, at the same time, the Council resolves to give notice of this instruction to the Judge of matters relating to the press, in order that he may communicate proper orders to his sub-delegates, at the same time informing his Majesty of the measures adopted by the Royal Council. Inasmuch as the distribution of the said print has been general to all the provinces, as appears by copies that are sent up from all parts of the kingdom to the ministry, that Council has been pleased to resolve, and this Council of the Supreme Inquisition, with knowledge of the aforesaid, also resolves to take all such precautions as its accredited attachment to the King's person and regard for the public good may dictate, not only to call in as many copies of the said prospectus as may be in the possession of private persons, and the numbers of the periodical which they are trying to introduce—in case that it be published—but to take measures for effecting the capture of the persons employed in this piece of mischief.

“And the Council has accordingly determined that a circular be sent to all the subordinate tribunals, that, by themselves and by their servants, with the utmost secrecy, they may take all the measures and precautions that their prudence shall dictate, and that lie within the compass of their authority, so that the resolution of His Majesty, communicated to this Council, may have complete effect. The which their lordships communicate to you, that it may be punctually executed, so far as concerns your tribunal. God keep you.—Madrid, August 3rd, 1818.

“DN. RAIMDO. ETTENHARD Y SALINAS.

DN. ANTO. MARIA DE GALAZZA.

DN. MIGUEL XAVIER DE BERAMENDI.”

No doubt, copies of this circular were written out and signed with all possible despatch; but it did not reach Seville until the 11th of the same month. On the 14th messengers were sent off to Cadiz, Ceuta, Algeciras, Ayamonte, and other places where there were commissaries, or subordinate courts of Inquisition, conveying the necessary instructions.

The only clear intelligence, in return, came from Algeciras, a town on the Bay of Gibraltar, just opposite that garrison, and in daily communication with it. The commissary of Inquisition in Algeciras, one Francisco de Paula Cid, wrote on the 27th of August, to say that he had used all means possible for gaining intelligence, and could not ascertain that any one in that district had heard anything of “The Constitutional Spaniard;” but he found that some inhabitants of Gibraltar had copies of the first number in their possession, “but have affirmed that the English Government has given its editors, who are Spanish refugees in London, to understand that their pensions will be withdrawn if they take advantage of the English law, which permits what they are doing.”

So says this commissary; but we must believe that there is nothing on authentic record to show that in

the year 1818 the British Government and the Spanish Inquisition were going hand in hand on any account whatever. On the contrary, not only were all inhabitants of Gibraltar at perfect liberty to read what they pleased, but in London the paper in question was not suppressed, nor does it appear that any Spaniard lost his pension on account of it, as is clear by a note from King Ferdinand's chief secretary to "the most illustrious Lord Inquisitor-General." (Perhaps Mr. Commissary Cid, although an Inquisitor, was, in reality, induced to couch his report in these terms, in order to cover the supporters of the patriotic newspaper from the interference of the Supreme Council at Madrid. Such good offices were not now unfrequent.) The note is as follows:—

4. "Some bad Spaniards gathered together in London have set about publishing a periodical with the title 'Constitutional Spaniard.' For want of subscribers it was suspended; but it now appears that, encouraged again by several subscriptions which have been given it from these kingdoms, they are going to continue their enterprise. Having received this intelligence, and notwithstanding that proper measures have been taken to prevent the introduction of this paper, so prejudicial to the royal interests and rights of the King our Lord, it is His Majesty's pleasure that your Most Illustrious should, on your part also, take such steps as your prudence may dictate to put down the undertaking of those bad Spaniards. Which I communicate, &c.—Palace, 13th of September, 1818. JOSE PIZARRO."

The Council does just what it is bidden to do, the zeal in this instance being with the King and his Council, rather than with the Inquisitors. In Seville, however, the latter find some scope for the display of their loyalty to the forlorn tribunal, and are soon encouraged by a written report from some one who has been in Mr. Wetherell's factory on private business, and there saw a copy of the obnoxious prospectus,

and has heard that the editors were two eminent Spaniards, Flores de Estrado and Gallardo.

The letter of this informant, "an intimate friend" of Mr. Wetherell, has on its back a memorandum of a conversation between the Inquisitors themselves, and note of a commission "to the familiar of this Holy Office," one Arrayas, to take another person with him, and between them get possession of the prospectus.

On the morning of October 12th the familiar and his colleague presented themselves in the factory with a warrant, and demanded the prospectus. They there subjected Mr. Wetherell and his son John to a private examination, conducted with insufferable haughtiness, but only obtained a written declaration, signed by the two Englishmen, that they had never seen the thing required. That paper was preserved in the Inquisition, and on its back I found the following note, signed by the two familiars, Arrayas and Garcia:—"We, the commissioners to perform the service above-mentioned, forthwith told the said English manufacturers that every one who lives in this kingdom is bound and made subject to the fulfilment of the laws that govern it; and that if they did not deliver the said prospectus, if it was in their possession, they would be punished according to the laws in proportion to their crime. They insisted on what they have declared and signed, and acknowledged that they were bound to the observance of the same laws; and this we sign and certify."

This hunting after the advertisement of a newspaper by the heads of Church and State would be too contemptible for notice, if it were not characteristic of the time and country, as well of the Church of Rome. On that consideration alone the reader of this book will perhaps forgive the intrusion of such a trifle. Within less than a year and a half our two countrymen were amused by the perusal of the copious records, brought to their house by a person who found them in the Inquisition.

A constitutional form of government prevailed in Spain, with cessation of legal prosecution, from 1820 to 1823, when absolutism revived once more. An attempt was then made to reinstate the horrid institution in Madrid, in spite of the repugnance of the Spanish people; but the representative of our Sovereign, Sir Henry Wellesley, afterwards Lord Cowley, strenuously opposed it, telling the King that if a decree for restoring the Inquisition received the royal signature, he would leave for England the next day. Ferdinand ventured not to resist so powerful an influence on the side of humanity, but made full use of other equally certain means at his disposal, and at the disposal of the Church, for depriving obnoxious persons of property, or liberty, or life.

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## CHAPTER XXII.

## SPAIN.

## TRIBUNAL OF THE FAITH FROM 1823 TO 1868.

THIS Tribunal of the Faith, governed by its own chief, and conducted on a system of its own, is the old Inquisition under a new name. It has been fully described (Chapter XX.), and I have now only to record one or two examples of its action since 1823.

How many deaths there have been on account of religion it is impossible to say. I heard of two in 1826. The first case was that of a Jew, burnt alive; but I have no authentic information of particulars. The second was that of a schoolmaster of Busafa, a village in the neighbourhood of Valencia, whom people considered to be a Quaker. He was accused before the new tribunal, condemned, thrown into the prisons of St. Narcissus, as they are called, and there detained for some time, together with the vilest felons. My informant, a priest of Valencia, and eye-witness of his martyrdom, says that "the lords of the Tribunal of the Faith endeavoured to induce him to make a solemn recantation of his belief as a Quaker; but he said that he could do nothing against his conscience, nor could he lie to God. They condemned him to be hanged; and he was transferred to the condemned cell, and resigned himself fully to the will of God. On July 31st, 1826, he was taken from the prison to the scaffold, displaying the most perfect serenity. The crosses were removed from the scaffold. He was not clothed in the black dress usually put on culprits when brought out to execution, but appeared in a brown jacket and pantaloons. With a serious countenance

and unfaltering mien, he ascended the scaffold, conducted by Father Felix, a barefooted Carmelite friar, who exhorted him to change his views. But he only replied, 'Shall one who has endeavoured to observe God's commandments be condemned?' When the rope was put round his neck, he asked the hangman to wait a moment, and, raising his eyes towards heaven, prayed." There can be no doubt of the accuracy of this account. In April, 1838, I visited Valencia, was taken to the very spot where the gallows was erected, and there received ample confirmation of the fact, with many circumstantial details, from persons who had stood around the victim as he died.

At that time my own proceedings as a Wesleyan Minister in Spain were watched and noted; and in 1839, Christina, Queen-Governess of Spain, by a note from her Secretary of State to the British *Chargé d'affaires*, required me to leave Spain, under threat of capital punishment if I did not obey. My offence was having officiated publicly and statedly as a Protestant Minister, under the direct sanction of her own Government;—which, however, she succeeded in getting rid of;—and, according to the old laws, again in full force, that document threatened me with death,—“*la ultima pena.*” I changed my residence, indeed, but re-visited the scene of my labours; every step I took was marked and reported by the authorities to the Government of Madrid; and as the British Government at that time was not disposed to protect me against those “laws of Spain,” I withdrew from the contest in Spain in order to continue ministrations to Spaniards outside the frontier.

Subsequent events encouraged a persuasion that this Tribunal of the Faith could no longer exist in the country; but, under a relapse into royal and priestly despotism, it did revive, and I have now to relate one of its more recent acts.

*Don Angel Herreros de Mora* was an object of peculiar

hatred. Don Manuel Garcia Herreros, the Minister of Grace and Justice, who, on the part of his colleagues and his country, engaged the reluctant hand of the Queen-Governess Christina to sign the decree for the suppression of the Company of Jesus in 1835, was an uncle of his. Another Herreros, private secretary of the same Queen, and no less opposed to the priestly party, was his cousin. The family remembers with pride that Herreros, Auxiliar Bishop of the diocese of Toledo, in the reign of Charles III., was one of the most strenuous advisers of the sudden and simultaneous banishment of every Jesuit from Spain; and Don Angel, their representative, was engaged in the publication of a work concerning the Society. Not only did he inherit the hatred of the Jesuits towards his family, and provoke it yet more by the act now mentioned, but made himself, if possible, more hateful still by declaring himself a Protestant. Although he had been ordained as priest—yet without a cure—he married in England a Protestant lady to whom he engaged himself when in France, and afterwards brought her back with him to Madrid, in open contempt of the law of celibacy. Nor was this all. In July, 1856, he returned from a visit to England and the United States of America, invested with the character of agent of the American Bible Society for Spain and Portugal. His diligence, integrity, and piety had already marked him as one well qualified to discharge the duties of that office.

It was but the night before a sanguinary *coup d'état* by the General O'Donnell, that my friend re-entered Madrid; and during the terrible confusion consequent on that event he remained peaceably in his own house, awaiting the time when it might be practicable to print and distribute the Holy Scriptures; and thus he continued in domestic privacy until August 27th.

About eight o'clock on the evening of that day, walking alone in the Prado, or park, of Madrid, he was suddenly attacked by ruffians, beaten, and dragged away to the office of the Civil Governor;

where he first caught a distinct view of the leader of the party, and found him to be one Juan Leon, clerk of the Tribunal of the Faith. Thence he was sent to the house of Don Julian Pando, Vicar Apostolic for Madrid, under the Archbishop of Toledo, and chief of the Tribunal. This personage, after some sharp words, sent him back again to the civil authority as prisoner, hastened hither also to enforce further proceedings, and, after a brief and passionate interrogation, sent him down to the *saloon*, a dungeon deep under ground, wet, filthy, and pestilential—a place where criminals are usually detained for a few hours until they can be taken to the prisons. There he was kept four days and nights, excepting only when once taken out to undergo examination by Vicar Pando; and had he not been removed at the end of those four days, a few hours more would probably have cost him his life. Under that examination he witnessed a good confession, and wrote with his own hand and signed a declaration, as near as he could afterwards remember, in the following words:—

“I am a Catholic Christian. That is to say, I am a Protestant. I have been so ever since I reached the age at which I could judge for myself with confidence, free from bias or coercion, and could fully estimate the responsibility I assumed before God and man.

“I am a Protestant: for I have written against the institution of Loyola; I have married in conformity to the Gospel of Jesus, and in conformity to the true Church. And I again affirm that the Church of Rome is not the Church of Jesus, but is in error. I do not now state the reasons on which I rest, as I have rested hitherto, for believing and doing as I have believed and done.

“I have obeyed God, and Him will I obey, rather than men, whether these men be called bishops or popes.

"I therefore add, that if it be necessary for me to suffer martyrdom, that I may bear testimony to these things, here am I. You have me in your hands.

"ÁNGEL HERREROS DE MORA."

The circumstances of this imprisonment, even as far as they have been made public,\* show that it is no longer possible to carry out the horrible formalities of the Spanish Inquisition as it was in action before 1813. The Civil Governor of Madrid protected the prisoner with a special guard, which never left him, day nor night, and persons of influence in the city paid him visits of condolence. The *Secret* could not be enforced as formerly. His wife and his wife's mother brought him food; and incessantly exerted themselves in pleading on his behalf with persons in power, and writing letters to myself, in hope of obtaining some kind of help from England.

On the fourth day, when he had become delirious, six men crowded into the dungeon, took up his bed with him on it, and walked up into an apartment in the higher part of the building. The sudden change was in consequence of an order from the Governor of Madrid, Don Manuel Alonso Martinez, who most willingly received an impassioned entreaty on behalf of the prisoner, from Doña Isabel of Bourbon, Infanta of Spain, sister of the King Consort, and as firm a friend of Don Angel as her brother and Queen were enemies.

When in this room, the Vicar, attended by a notary, tormented him with repeated examinations; and, as if he regretted his inability to subject the heretic to the treatment of the old torture-chamber, once attempted a sort of pugilistic violence, but the civil officers compelled him and his assistant to desist. From this prison they took him to a kind of private convent, inhabited by persons who concealed both the name and habit of their community, but were believed

\* In a Narrative by De Mora. London: 1856.

to be Jesuits. There he was attended by an armed soldier sent for his protection, permitted to have food brought from his own house, lest he should be poisoned; and received visits from his friends, as is usual in Spanish prisons, except when the prisoner has been sentenced to solitary confinement. Something occurred to awaken suspicion of an actual attempt to poison him, and his family and friends earnestly advised him to accept assistance and make his escape. The Governor, for his part, was compelled to execute the law, and support the proceedings of the Tribunal of the Faith; but could not fulfil that obligation without a consciousness of acting unjustly, and a deep sense of humiliation.

No time was to be lost. Don Angel would not suffer himself to be removed by force, lest force should be met by force, and for other obvious reasons of prudence; but he consented to escape at night. His wife brought him a knotted cord about one o'clock one morning. He let himself down from a balcony of the Jesuit-house, and was conveyed by relays of friends from one part of the city to another, until he reached a place of concealment sufficiently obscure. On return of daylight a hue and cry was raised. Vicar Pando ran to the Governor for aid to make hot pursuit; but the good Spaniard flatly refused any such assistance, and openly wished the fugitive good speed. For this offence the party dominant at Court removed the Governor from his office.

Meanwhile I had received letters from his wife and mother, and not only published the affair in England, but made it known to a member of the British Cabinet; and with the sanction of Lord Palmerston, then Premier, the *Chargé d'affaires* at the Court of Madrid (the British Ambassador happening to be absent) received such instructions that the Spanish civil authorities found themselves supported by the influence of that Government which, of all the Governments of Europe, then stood highest in their

estimation. They consented to his free departure from the country; arrangements were promptly made with that view; and, to his own unutterable surprise, my friend, even in the capital of Spain, still reeking with the blood of slaughtered citizens, and amidst the oppressions of Jesuits, Inquisitors, and aliens, found himself grasped by the ready hand of British mercy.

A telegraphic despatch to London announced the moment when he passed the gate of Madrid. Another told when he had reached Bayonne. And here I must make honourable mention of the late Loftus Charles Otway, Esq., C.B., then secretary of the British Legation; a gentleman to whom Englishmen in Spain have acknowledged debts of gratitude which this country would not have repaid too liberally, had his life been prolonged to receive the highest rewards that his Sovereign could bestow.

On the evening of October 9th Don Angel entered my house in London. Bruised with violence when assaulted in the Prado, exhausted with suffering, and torn from his native country, we looked on him as one plucked from the lion's mouth in answer to prayer, and felt at once thankful to God, and proud of being Englishmen.

On the eighth day of November, 1856, after the excitement caused by the escape of De Mora had subsided, when the government of Madrid was put into other and less worthy hands, and further measures of political repression had made it possible for the Vicar Apostolic to say or do almost anything with impunity, he issued the following citation:—

“By the present, and by virtue of the order of the most Excellent and most Illustrious Lord Vicar, certified by the undersigned notary, the presbyter Don Angel Herreros de Mora, once belonging to the College of Missionaries in Asia, situate in Ocaña, is cited and summoned, in order that, within the term of twenty days, he may make his appearance in the audience-chamber of his most illustrious lordship, which audience

he holds in the street of La Pasa, number two on the principal floor ; with notice that, if he does not, proceedings will be taken against him as a rebel, on the writ which is now drawn up, for the crimes of apostasy from the faith, of infraction of the vow of chastity by having contracted marriage, and of being a propagandist of Protestantism in Spain. And the consequence of these proceedings will take place upon himself.

“GREGORIO GONZALO GUTIERREZ.”

I perused this document in the Madrid Gazette, twice repeated, and so did my friend De Mora, but the Inquisitor's audience-chamber was not visited by the contumacious fugitive, nor was he expected there, for before the pretended summons was issued his safe arrival in England was well known in Madrid. But the tribunal acted nevertheless. A friend of his, named José Vecino, was then thrown into prison, and both their houses were searched, but in that matter the Tribunal of the Faith took no ostensible part. So far indeed were the persecutors from daring to brave public opinion by any open procedure, that they actually sought to evade the indignation of the civilised world by a very pitiful fiction. They engaged the minister of the United States at the Court of Isabel II. to assure the committee of the American Bible Society that Mr. De Mora had not been imprisoned *as their agent*, but for the sin of sacrilege committed in matrimony. But whose agent was he when acting as a propagandist of Protestantism in Spain? Certainly the only character of propagandism that distinguished him on the day of his imprisonment was his commission to visit Spain as agent and representative of the American Bible Society.

That society was, no doubt, indifferent to the shade of guilt which might rest on a distributor of bibles in the sight of Spanish Inquisitors, and soon became well satisfied with his faithful labours in their service.



For about eleven years after his deliverance he was resident in New York, where he revised Valera's Spanish version of the Old and New Testaments in a manner highly creditable to his learning and ability. The Tribunal of the Faith made a few more feeble efforts to sustain its evil character as upholder of intolerance, but became utterly extinct with the revolution of 1868. Enough, therefore, has now been said of Spain, where the Inquisition rose to its height of pomp and insolence, and we shall proceed in our second volume to survey its various operations in other countries.

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## APPENDIX.

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### I.

#### THE CARTILLA, OR MANUAL.—(Page 93.)

I HAVE had in my possession the CARTILLA, or Manual of the Inquisition of Seville. Three days after the ratification of the Spanish Constitution of 1820 by Ferdinand VII., as soon as intelligence of the event could, by courier, reach the metropolis of Andalusía, the mob assembled before the palace of the Inquisition in that city, entered in, drove out the Inquisitors, and took possession of the building and all that was therein.\* The unexpected visitors caught those officials in the prosecution of their daily calling; and the volume I am now to describe, being the peculiar property of the Chief Inquisitor, was found in its place, and may therefore be regarded as the guide of inquisitorial practice, or at least as the standard of what they would wish their practice to be, on the morning of March 10th, 1820. One of the party who then entered laid hands on the book, before the Inquisitors could conceal it, and the same morning gave it to Mr. John Wetherell, an English merchant, who had long resided in Seville, and had himself been proceeded against for reading prohibited books or newspapers imported from England. Together with this book the Spaniard brought to Mr. Wetherell a bundle of papers, containing, among other *Causas*, one relating to himself. To Mr. Wetherell I am indebted for a perusal of the whole, and permission to make and publish an abstract of the Manual.

It is a thin Spanish quarto, bound in vellum, with the word "Cartilla" written with a pen on the back. It consists of four parcels, partly printed, partly manuscript. The paper has rough edges, or edges cut down to reduce it to the size required for insertion under the present covers. It consists of, first, a title-page: "Order of Proceeding in the Holy Office, compiled from Ancient and Modern Instructions by the Licen-

\* They only found one prisoner, Ostolaza, Dean of Murcia, a political offender, afterwards shot by the mob in Valencia. In the reign of Ferdinand VII., the Inquisitions had become little more than offices of police, auxiliary to the royal despotism.

tiate Pablo García, Secretary of His Majesty's Council of the Holy General Inquisition. Commanded to be added by the most Illustrious Lord Cardinal Don Antonio Zapata, Protector of Spain, Inquisitor-General of the Kingdoms and Lordships of His Majesty, and of his Council of State. With an Alphabetical Index at the beginning, made by Gaspar Isidro de Arguello, Senior Officer of the Council, for greater clearness and ready explanation of the form of conducting Causes of Faith. In the year 1628. With Licence of His Majesty's Council of the Holy General Inquisition." The date and place are lost from the foot of the page, but a few imperfect lines remain, indicating the words "*En la Imprenta de la Santa General Inquisicion*;" which show that, like other books intended for the use of the Inquisitors only, the printed portions were executed within the walls. The title-page is adorned with the arms of the Cardinal quartered with those of the Inquisition. The index follows on ten leaves.

After these are inserted thirty-four leaves of writing-paper, of which twenty-seven are written over in a large and fair hand, and seven remain blank. Then ten more leaves of writing-paper, nine written and one blank.

The "*Orden*," of which the title-page is described above, follows the manuscript parcels, complete from folio 1 to folio 78, making one hundred and fifty-five pages; altogether consisting of technical directions for conducting the business of the Holy Office, with the half-title on the first page of folio 1, thus:—

## ORDEN DE PROCESSAR en el Santo Oficio.

This Manual is for the use of all the Inquisitions in Spain; but as each chief provincial Inquisitor is a distinct President over his own province, one of them has used the broad margin to note, with his pen, the authorities for the practice to be used at Seville, adding also some observations of his own. The same hand wrote the little ten-leaf manuscript, and certified the first six pages and-a-half with his own rubric, or flourish, as directions extracted from the Cartilla of Sr. D. Miguel Lopez de Vitoria, who took them "from the Secret of the Inquisition of Sardinia," where a Fiscal named Moro had written them.

And lastly, nineteen printed pages of much later typography, perhaps of the last part of the eighteenth century. This is a mere *quaderno*, or official paper uncut, headed on folio 1,—



# INSTRUC CION QUE HAN

DE GUARDAR LOS COMISSA  
rios del Santo Oficio de la Inquisicion, en las  
Causas y Negocios de Fe y los Demas  
que se ofrezcan.

"Instruction which the Commissaries of the Holy Office of the Inquisition have to observe in the Causes and Affairs of Faith, and other Matters that may occur." The colophon at the end shows that it was printed, without date, by one Aciselo Cortés de Ribera Prieto, "Printer of the Holy Tribunal in Cordova." From these notes, and from the entire appearance of his *Cartilla*, it is, I think, demonstrable that it and the others like it consisted of documents printed or written and bound within the walls of Inquisitions. Indeed, regulations which would cease to be of any value if once known to others would not be exposed to the eyes of profane printers and book-binders out of doors.\*

Now leaving all questions concerning the practice of the recent Inquisition, and saying nothing of Achilli's assertion that the *mordacchia*, or gag, was in his day used in Italy, and not repeating the names of Inquisitors whom he charges with having used it in Romagna and in Umbria in the reign of the last Pope, I cannot hesitate to believe that the book I am describing contains directions for torture, as well as for others operations which the Spanish Inquisitors carried on, or wished to carry on, so lately as the year 1820; and I therefore consider that the reader has, in our *Cartilla*, the practice of Inquisitors so late as 1820. In that persuasion I examine it.

The first manuscript opens with an "*Audiencia de Hacienda*," or "Examination concerning Property." Changed what must

\* Any who have read Dr. Achilli's *Dealings with the Inquisition* may remember that he speaks of a *Libro Nero*, or "Black Book," which he knew to be carefully preserved by the assessor of the Inquisition in Rome. The title, as he gives it, is "*Praxis Sacrae Romanae Inquisitionis*," and he says that it is manuscript. His account is in perfect agreement with what we learn from the Seville Manual.

be changed, in cases where confiscations have to be conducted, the fathers of this Sacred Tribunal were directed to ascertain what estates their victim possessed, where they were situate, and under what liabilities they were held. What moveables, and where to be found? What cattle? What credits, and what debits? What account-books, and what deeds? Slaves? How many, and what can they earn? Has he a farm? Has he prospect of heritage or reversion? Has he shares in any concern? Is he involved in any law-suit? Has he concealed any money, or given away any, or lent any? Had he dowry with his wife? Is he under any liabilities on her account? Has he any *proposals* to make to the tribunal concerning the disposal of his property?

Directions are given how to proceed when creditors of prisoners make demands on the fisc of the Inquisition; the Inquisitors being put on their guard against such disputatious folk as creditors, who, on such occasions, are found to be very prejudiced, and with whom it is necessary to deal very cautiously, that they may not cheat the fisc out of its *rights*.

The "*Orden de Processar*" begins with a form of writ to be issued to the Fiscal of the Inquisition, empowering him to commence action against the "criminal" whom he has denounced. Then come the oaths which are to be administered to witnesses, as well as to criminals themselves, followed by a form of the promise they must make to keep secret all they see and hear. Next follow instructions to examiners, for keeping their registers, and for so conducting their examinations as most easily to criminate the persons accused, and as many others as possible, with whom the accused may have had correspondence, or of whom they can be made to give any intelligence. Forms are prescribed for issuing orders to the several officers for making arrests, seizures, committals, etc. These orders convey the most complete instruction for making sure of the person of the heretic, with his papers, and his property too, in case of sequestration.

At length the prisoner is supposed to appear in the hall of audience, and is put to his oath in order to close examination. He must disclose all he knows of his parents, his grandfathers, grandmothers, uncles, aunts, wife, children, and everything that can be got from him concerning his own history. He must cross himself, touch himself with holy water, say the *Paternoster*, the Hail Mary, the Creed, the *Salve Regina*, in Latin or in Romance, to show whether he can do it well or ill; and his manner of going through these recitations must be noted down.

He may have been abroad, or, haply, he is a foreigner, and he must tell whose acquaintance he has made; and here the Inquisitor has written in the margin of the page: "This is of great importance in dealing with Portuguese; and we know by experience that they whom a Portuguese names are the very persons who appear afterwards as accomplices, and it facilitates conviction to have them named here."

Then come admonitions to be addressed to the person under examination, concerning what he may expect in this Holy Office, where—for so he must be told—the purest mercy and justice are administered. As for the relapsed, no offer of mercy may be made to any such an one; but they must exhort him to disburden his conscience by telling the truth; and, it being too late for mercy, they may offer him justice.

The manner of treating and recording various classes of cases is laid down; but I pass over the details of practice. All the characteristic abominations of the Inquisition, as already described under the head of "Laws and Customs," are found here without the least abatement. Concerning torture, however, I will translate in full, place within brackets what successive Inquisitors have added by their pens to the printed text of the *Cartilla*, and transfer their marginal manuscript notes to the margin of my own pages, in smaller type.

\* *When torture has to be performed.\**

"The criminal is brought in to the audience, all the Inquisitors and the Ordinary being present; he is told that it has been agreed, etc., and his answer is written down, and then

"He was told† that he already knows that often and at various times he has been admonished to tell the truth entirely, concerning all that he has done, or said, or seen other persons do, or heard them say, in offence of Monition before the tor- God our Lord, and against His Holy ment.

Catholic Faith, the Evangelical Law which the Holy Mother Roman Catholic Church follows and teaches, especially concerning that which is testified and laid to his charge by this his process; which he has not chosen to do. And by the said process it is evident that he keeps back and hides many things,

\* Limborch (page 322) quotes from Julius Clarus in *pract. crim.* § *fin. qu.* 64, *versic.*, *Nunc de gradibus*, where he says: "Know, then, that there are five degrees of Torture, namely,—First: Threatenings to Torture. Second: Taking to the place of Torments. Third: Stripping and binding. Fourth: Laying on the Rack. Fifth: Crushing, *squassatio*."

† The past tense prevails in the *Cartilla*, the text being intended as the model of record for notaries or secretaries.

especially *such* and *such*\* [declaring to him that wherein he is diminute, or deficient, and why he is put to the torment, whether it be for things that he has done or said, or for his intention to do such things, or in case that he denies this, or for concealing accomplices]. And, for greater justification, it has been commanded to bring him to this audience, in order to admonish him again, as now he is admonished, in the name of God our Lord, and of His glorious and blessed Mother our Lady the Virgin Mary, to tell and entirely confess the truth, concerning that which is known from witnesses, and all besides that he has done, heard, or seen other persons do or say in offence of our Holy Catholic Faith, without hiding anything that relates to himself or them, and not bearing false witness either against himself or any other, because by this confession he will acquit his conscience as a faithful Christian, and there shall be used with him that mercy which may have place where justice shall not be done.

"The criminal will answer as he chooses, and, being negative, let him be told,—

"He was told that he must know that his process has been seen by persons of learning and right consciences, to whom it has appeared that he should be put to question of torment, in order that he may tell the truth.

*If, when this is said, he confesses anything, he must ratify it after twenty-four hours, as if he had said it in the torment.*

"In the monition [as has been said], the things in which he is diminute should be declared to him, and why he is ordered to be tormented, because, afterwards, in the torment nothing more should be said to him *than that he tell the truth.*

"If the torment is given him *in caput alienum*,—on account of another,—the monition only is made to him, giving him to understand

*Torment in caput alienum.*

*how from his process it results that he knows of other persons, etc., and that he keeps it back and hides it, and it must not be said to him that he should speak of himself, neither in the monition, nor in the discourse of torment: because he is held to be convicted; and in ques-*

*He has to be told that it is not given him on his own account.*

*tioning him against himself, there might arise a doubt of this, if he cleared himself of any indications, as it happened in a certain cause of this kind."*†

\* When the Inquisitor has underscored with his pen the printed text of the *Cartilla*, the correspondent word of the translation is here printed in italics.

† By revision and repeal of a sentence that even the Inquisitors would

In the first manuscript of the Sevillian Cartilla, which is evidently the last written, there are some directions for administering torture that strikingly exhibit the cold-heartedness of those tormentors. They occur in two places: under the heading of "*Audienca de Tormento*," and as notes of one Sr. Brabo on the word "*Tormentos*." In each place there is written in the margin, "*No se practica*,"—"not practised." Perhaps not. Perhaps it was then thought expedient to suspend the practice of torture, if it were only for the difficulty of getting Spaniards to act as tormentors, or of finding medical men willing to render their professional service in chambers of torment. We can easily believe that this became impracticable, or at least dangerous, in Spain, while as yet it might be quite possible to continue the hateful practice in the Papal States. In both these countries much depends, at any time, on the political feeling then prevalent. But the political feeling prevalent at any time, as well as the temperature of public confidence, or servility, or dread, or hope and fear, or servility and fear, strangely varies. And let me further observe that the note "*No se practica*" is very significant of a mere suspension of the practice. Any one who is familiar with Spanish as a living language knows that an abolition of torture would have been marked, at the very least, by such a sentence as this, *No se practica mas*, or *Ya no se practica*. But the Judge of this Inquisition did not write any such words. He did not say that torture was *no longer* used. He made no allusion to any act of the Supreme Council of Spain, or of the Roman Congregation, for its abolition, nor has the world a proof of any such an act. He merely notes that at the time present it is not practised. Still the same *Cartilla* serves: still care is taken to write fairly and keep on hand copious instructions for the operation; and thus we ascertain the will of the Inquisitors, whatever be, or be not, their deed. The manuscript amplifications are these:—

*"Audience of Torment."*

"He (or she) was told, etc." [as in the printed form, with the addition of "himself" or "herself"] and accomplices.

"He (or she) said, etc."

"And then the Lords Inquisitors and the Ordinary, having seen that the said N.\* was negative, pronounce a sentence of the tenor following.

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now acknowledge not to have been justified by their own rules, a life would be saved. But the only thing to be saved now is the idea that their own sentence is immutable, even though the innocent perishes.

\* — *la dicha N.* This refers to a woman, which is remarkable in a



"*Christi nomine invocato.*" ("The name of Christ being invoked.")

"Which same sentence the said Lords Inquisitors gave and pronounced on this said day, month, and year, being in the Hall of Audience of this Holy Office, the said woman N. being present, to whom it was notified, and she said," etc.

Here we insert the printed form of such a sentence.

"*Christi nomine invocato.*"

"We pronounce, after considering the acts and merits of the said process, the indications and suspicions that result from it against the said——, that we ought to condemn him, and we do condemn him to be put to question of torment, [some declare whether it is to be by pulleys, or by water, and cords, etc.,] in which we command that he be and remain for so long time as may appear well to us, that in it he may tell the truth concerning what is witnessed and laid in charge against him, *with a protestation* which we make, that if, in the said torment, he should die or be wounded, or if there be any effusion of blood or mutilation of member, the blame and charge must be his, not ours, because he would not tell the truth. And by this our sentence we do pronounce and command in these writings, and by them. The Judges have to mark or sign it."

Sentence of Torment. Let it be written on a separate sheet, as, if the criminal confesses anything, it will not be exhibited (to the Supreme). Being loose, it is laid aside, when it falls like the accusation (in the like event).

If the criminal *appeals* from the sentence of torment, *observe* what the *Instructions* 50 and 51 direct.

The manuscript proceeds;—

"And on this she was ordered to be taken to the Chamber of Torment, whither went the said Lords Inquisitors; and when they were there, she was admonished to tell the truth, and not let herself be brought into so great trouble. She said, etc.

And was taken down at such an hour.

"She was told to tell the truth, or the Executors of Justice would be called in. She said, etc.

"Charles Philip, Executor of Justice, was called in, etc., and his oath was taken that he would do his business well and faithfully, and that he would keep the Secret; all which he promised.

model register. The occurrence of the feminine gender here can only be accounted for on the supposition that one complete case of torture of a female had been selected as the model.

"She was told to tell the truth, or orders would be given to strip her. She said, etc. She was commanded to be stripped naked.\*

"She was told to tell the truth, or orders would be given to cut off her hair. She said, etc.

"Orders were given to cut off her hair; and when it was taken off, she was examined by the doctor and surgeon, who said that there was not any objection to her being put to the torture.

"She was told to tell the truth, or she would be commanded to mount the rack. She said, etc. You must say at what o'clock she went on.

"She was commanded to mount, and she said, etc.

"She was told to tell the truth, or her body should be bound. She said, etc. She was ordered to be bound.

"She was told to tell the truth, or, if not, they would order her right foot to be made fast for the *trampazo*.† She said, etc. They commanded it to be made fast.

"She was told to tell the truth, or they would command her left foot to be made fast for the *trampazo*. She said, etc. They commanded it to be made fast. She said, etc. It was ordered to be done.

"She was told to tell the truth, or they would order the binding of the right arm to be stretched. She said, etc. It was commanded to be done. And the same with the left arm. It was ordered to be executed.

"She was told to tell the truth, or they would order the fleshy part of her right arm to be made fast for the *garrote*.‡ She said, etc. It was ordered to be made fast.

"And by the said Lord Inquisitor it was repeated to her

\* On *Spoliatio*, or Stripping, Limborch (page 322) puts into words what it is at once a shame to speak, and an injustice to pass in silence. "*Spoliatio sæpe fit nullo humanitatis vel honestatis habito respectu; non enim viros tantum, sed et fœminas ac virgines, honestissimas licet ac pudentissimas, cujusmodi plures quandoque in carcere habent, spoliari faciunt ad ipsas usque interulas, quibus postea sublatis (sit verbo venia) ad pudenda usque, stricta linea femoralia illis induunt, denudant inde brachia usque ad humeros.*"

† "TRAMPAZO. La ultima de las vueltas que se dan en el tormento de las cuerdas. Lat., *Tortura ultima contorsio*." (Dictionary of the Spanish Academy.) The word means an extreme tightening of the cords.

‡ "GARROTE. La ligadura que se da con cuerdas mas delgadas en brazos ó muslos, comprimiendo la carne de ellos: y suele usarse para hacer volver de accidentes violentos que privan el sentido. Lat. *Funibus astrictio*." Compression of the fleshy parts of the arms or thighs with finer cords. It is used to rouse them from violent fainting fits. (Dictionary, etc.)

many times that she should tell the truth, and not let herself be brought into so great torment; and the physician and surgeon were called in, who said, etc. And the criminal, etc. And orders were given to make it fast.

"She was told to tell the truth, or they would order the first turn of *mancuerda*.\* She said, etc. It was commanded to be done.

"She was told to tell the truth, or they would command the *garrote* to be applied again to the right arm. She said, etc. It was ordered to be done.

"She was told to tell the truth, or they would order the second turn of *mancuerda*. She said, etc. It was commanded to be done.

"She was told to tell the truth, or they would order the *garrote* to be applied again to the left arm. She said, etc. It was ordered to be done.

"She was told to tell the truth, or they would order the third turn of *mancuerda*. She said, etc. It was commanded to be done.

"She was told to tell the truth, or they would order the *trampaso* to laid on the right foot. She said, etc. It was commanded to be done.

"For women you do not go beyond this."†

\* \* \* \* \*

"He was told to tell the truth, or they would command the fourth turn of *mancuerda* = ="

The notes of Brabo on the word **TORMENT** are very full. I will translate the greater part of them; enough, I think, to satisfy my readers. Brabo writes:—

"I have sometimes seen that when a criminal is incapable of undergoing torture in one of his arms, or in all the body, on account of old age, or infirmity, the Inquisitors have hesitated to vote the torture, and wished to proceed to give him a definitive sentence. But I have not agreed to this when the state of the cause and the law require it; for there are other parts on which torture may be applied when the criminal is on the rack, such as the other arm, and the legs. For even when torture is impossible, there are trials which they may be made to undergo, and which it is not well to omit, and they are these:—

\* **MANCUERDA** is the simultaneous tension of all the cords, both on the legs and arms, by the application of a single, but powerful, force.

† How admirably tender are these Guardians of the Faith in handling their female patients!

"1. The criminal is brought before the Tribunal, and receives the monition.

"2. The sentence of torment is pronounced.

"3. They take him down to the chamber of torments.

"4. They command him to be stripped.

"5. They command him to be laid on the rack, and he is laid on.

"6. He is threatened, and commanded to be bound.

"When he is in this state, the physician and surgeon come in, and declare whether he may be bound, and in what parts, and whether they may give him tortures, and in what parts. And when they absolutely say that he cannot be bound nor tortured, even then it is well not to have omitted the above, for all that may be done without coming to bindings or turns of the cord, which is impracticable. And perhaps they may confess at the monition, at the command to go down into the chamber, or when they are ordered to be stripped, or to be laid on the rack, or at the intimation that the order will be given to bind them. But this hope, and the chance of getting a confession, is lost by wanting to manage the matter with a view to the end only, while the means which may be employed without actually coming to the end (torture), which cannot be attempted, ought not to be omitted.

"Three examples I have observed in Toledo and Cuenca, in which two confessed without going down to the chamber, and one before being stripped.

"In the title 41 of torments, the following numbers of *Acord*.\*

"11. Great care should be taken in giving torture to criminate another party, that the proofs obtained against third persons be not diminished; and if the matter is well proved, there is no reason why. Council in Valladolid, July 20th, 1538. At Cuenca. *Note*. Look to the thirds; and if it be proved against them, there is no reason to put the witness to the torture, when the witness is not also guilty.

"15. That the hours or days that a person has to be under torture be not inserted in the sentences, nor yet voted, but that it be put in the ordinary form, *ad arbitrium*. Council in Madrid, March 22, 1536. *Note*. And this will not be an arbitrary or *ad arbitrium* torment, but a torment regulated beforehand

\* I omit numbers 12, 13, 14, which are very technical. *Acord*. denotes *cartas* or *consultas acordadas*; that is to say, letters or decisions of a superior tribunal, communicated for his guidance to the proper officer in an inferior court. It here refers to instructions from the Supreme Council of the Inquisition in Madrid.

according to *arbitrium*, or pleasure, and therefore this pleasure ought not to be restricted. And accordingly the Council is accustomed to say (for example) *in conspectu*, or *hasta trizarle*,\* or a turn of *mancuerda*. And also the Inquisitors may vote according to the ages of the criminals, and merits of the causes; but the torture does not thereby cease to be *ad arbitrium*, notwithstanding this letter. And it is just that it be not put in the sentence, that the criminal may not know it; but it may be so written in the vote, as there is no inconvenience in this, and it is so done. It should be considered how far it is legal to produce what is written in the sentence, but this may be remedied by inserting it in the form of an award.

"16. Neither in sentences of torture to criminate another party, nor in other acts relating to torture, let there be any mention of the offences committed by the criminal. Council in Valladolid, 7th July, 1523. At Toledo.

"In a Consultation of the Council of the Tribunal of Valladolid on May 20th, 1659, by the Señores Dn. Miguel de Victoria, Dn. Sancho de Douza, and Dn. Diego Sarmiento, it is contained: That it appears to the first, that as against criminals, [the case is of some that were voted to the torture, which was executed; and then these causes were brought into consultation, and by common agreement it was determined that the infliction of torture *ad arbitrium* should be repeated on them; and when the execution of it came to be treated of, a doubt arose whether the monitions, of which they already had knowledge, ought to be read again to these criminals, inasmuch as they had been read to them the first time, and sentence of torture had been pronounced in form,] there has not arisen any new testification after the first torture, there is no occasion to read to them again the first monition; and that so, in this case, it is all one to say that the torture is repeated, or that it is continued; wherefore sentence ought not to be pronounced, but they should be taken to the chamber, etc.

"And the said Señores Douza and Sarmiento think that the difference of the words 'repeat' and 'continue' ought to be made up, as is inferred from the *Cartilla*, folio 30; and to repeat without the occurrence of any new indications, it is necessary to take into account all the merits, and to measure them with the degrees of torture already executed. If, however, the indications are of higher stature than the degrees of torture, the sentence of new torture, which is called a Repetition, is legitimate and strictly just, since it is entirely different from a Continuation on account of the offence which had been at first

\* *Hasta trizarle* must mean, until the flesh be broken, or slashed.

perceived. That in a Continuation the monition is not read again, nor sentence given, but in a Repetition both are done; because, in the former case, as all the torture necessary was not executed, there is no need that from one act to another much time should pass; but it is not so in a Repetition, because, as all that was possible was executed, both according to the indications and according to the strength of the criminal, and both the act was, for the time, complete, and the criminal put to pain, it is necessary for a Repetition that sufficient time should pass for the recovery of his health.

"But as crimes of Judaism ordinarily consist in various actions, and some of these actions very trifling, it is convenient that they be brought to the criminal's memory again by the monition, in order that in his confession he may fill up the evidence; and it is probable that when the monition is read, as he is then at liberty, without the distraction of torture, he may confess enough to render it unnecessary to proceed to the trouble of repeating it. And when it happens that torture is repeated on a criminal on account of new indications that arise,—which is also what is called Repetition,—on which account it is that torture is most frequently repeated, they think that not only the monition of what has newly arisen should be read, but also of what was indicated by the previous evidence, and of which, on the first occasion, he received monition when he denied it; in order that not only he may have the opportunity of confessing to the new charge, but also be reminded of the first antecedents, the facts of which, it may be presumed, he has forgotten: and that this uniting the old indications with the new in the monition is necessary; for otherwise he might think, when he is tormented again, only on account of charges newly arisen, that he had been purged, in the first torture, of those of the first monition; and because the repetition of torture is not only on account of the occurrence of new suspicions, but also because the first torture was not sufficient to purge him from the first.

"And that in the present case of the three criminals this question ceases, since Louis, in his torment, confessed the acts, but denied the intention; and Balthasar also confessed the facts, and the accomplices, and many other things of which there had not been any evidence, and revoked his confession in the ratification: wherefore it is necessary in these two cases to repeat the torture in the same form, and the doubt alone remains in the case of the third criminal in this consultation.

"The Señor Victoria thought that in this case the torture ought to be in continuation, because no new evidence had been produced.

"That torture is used to be repeated without the occurrence of new indications, and so the said Señor Douza has practised in the two Tribunals he has served ; and it has been repeated even a third time, without the occurrence of any new indications ; and at the second and third times the trouble had been taken of reading the same monition, and pronouncing the same sentence : and this is founded in reason, because the continuation is executed on account of the torture not having failed by any accident to interrupt it, such as the fainting of the criminal, or seizure with convulsions in the torment-chamber, as often happens to women ; and that this is the case where the word 'continuation' is used, and not 'repetition,' inasmuch as the act was not perfectly finished, and for this no new consultation is necessary, neither is there another vote, but it is continued after a conference of the Inquisitors and Ordinary, without previous reading of monitions, or pronouncing of sentence, or attendance of guardian when the criminal is a minor, since the act of judgment is yet pending ; while, on the contrary, for a Repetition it is necessary to come to a new judgment in a formal consultation, which makes the difference between continuing and repeating, as the *Cartilla* shows at folio 30."

Returning now to the printed *Cartilla*, I have to notice some general directions, some Rubrics for this Liturgy of Tophet.

"If, [after the sentence, and] before going to torment, the criminal confesses, his confession must be ratified after twenty-four hours have passed.

"If the criminal is under age, *the guardian must be present at pronouncing sentence, in order that he may appeal if he wishes ; but he must not be present at the performance of the torture.*"

The following will show how the "etc.," which recurs at every stage in the model case on pages 246—350, was to be represented in the record :—

"*All that the criminal says has to be set down, and the questions that were put to him, and his answers, without omitting anything, and how they ordered him to be stripped, and his arms to be bound, and the rounds of cord that are put on him, and how they ordered him to be placed on the rack, and how to bind his legs, head, and arms, and how he was bound, and how they ordered the garrotes to be put on, and how they were put on, and how compressed, declaring if it was on leg, thigh, or shin, or arms, etc., and what was said to him at each of*

If the torture is of pulley, it must be entered how the irons were put ; and the weight or weights, and how he was hoisted and how many times, and how long he was up each time. If it is of rack, it shall be said how the *toca*\* was put on him, and how many pitchers of water were thrown over him, and how much each contained.

\* *Toca*, a kind of cap, for confining the head.

*these operations.* So that all that passes be written without leaving anything more to write; and when he confesses anything, he shall be asked *why he did not declare that before*; and whatever appears most necessary to understand how much credit may be given him in other matters.

"And then the said Lords Inquisitors and Ordinary said that, as it was late, and for other considerations, they suspended the said torment for the present, with protestations that they had not tormented him sufficiently, and that, if he would not tell the truth, they reserved it in their power to continue the torment whenever it should please them; and so he was ordered to be taken away, and was taken from the said torment, and carried to his prison. And this business was finished at o'clock, before, or after, mid-day; and, so far as it appeared, the said N. was sound, and without any skin broken."

The directions as to continuation or repetition are on this fol. 30 of the *Cartilla*, as referred to above on page 352.

Twenty-four hours having elapsed, the criminal is brought into the hall of audience, and, in presence of one Inquisitor at least, asked what he has remembered for confession. They now read to him what he said while in torment, and ask if there is anything that he wishes to add, retract, or alter. Then he is required to sign the confession, if such it was, or whatever else he said in the torment-chamber. Any further confession he may make must be ratified after twenty-four hours. Then, as to the pertinacious, "let it be observed that, as for those who are *pertinacious*, before determining their causes, there must be made to them *three monitions*, at least, by theologians of science and conscience, in order to undeceive them, and endeavour to bring them to their senses: and so it shall be set down in the processes, all of which shall be done in the audience-hall, the Inquisitors, or some of them, being present.

When every effort for the crimination of others, as well as of the prisoner himself, has been exhausted, the Inquisitors put a finishing hand to their work by consigning him to death. In order to this, there is prescribed the following

#### FORM OF SENTENCE.

"Seen by us, the Inquisitors against heretical pravity and apostasy in and its neighbourhood by Apostolical authority, together with the Ordinary of the said diocese of , a process of criminal suit which before us has pended and pends between parties,

Care must be taken that in the sentences, the causes and reasons that the criminal gives on which he rests for maintaining those errors be not produced, nor those which the heretics give, nor any-



the one being the Proctor Fiscal of the Holy Office, prosecutor, and the other the criminal , defendant, inhabitant of , who is here present. And by reason that the said Proctor Fiscal appeared before us, and presented his accusation, and what by it is prayed, and after the merits of the process, on to its conclusion, and having had of our own accord deliberation with persons of letters and right conscience."

*thing else which offends the ears of Catholics, or that is or may be, an occasion that by it they be taught, or that they learn any of those things, or come to doubt of anything. And this should be well looked into and considered, because it is affirmed that some have been taught by hearing those sentences.*

The sentence to be pronounced, "*Christi nomine invocato*," is very long, and contains the usual injunction addressed to the civil authorities: "— and that we ought to relax, and we do relax the person of the said to the secular justice and arm, especially to , Corregidor of this city, and his lieutenant in the said office, whom we pray and charge very affectionately, as we by right best can, to deal kindly and piously with him."

I must now hasten through this Manual, only extracting a few passages characteristic of the institution of which I am treating, and illustrative of statements made in the course of my history.

The form of abjuration to be made by a "reconciled" penitent whom the severities of discipline have brought back to the bosom of the Church, contains the following very stringent pledges:—

"And I confess that all they who oppose the Holy Catholic Faith are worthy of condemnation; and I promise that I will never unite with them, and that, so far as in me lies, I will persecute them, and the heresies of theirs of which I may have any knowledge I will reveal and make known to any Inquisitor of heretical pravity and prelate of the Holy Church, wherever I may be. And I desire and consent, and it pleases me that, if at any time, which may God forbid, I act contrary to the things abovesaid, or against any one thing or part of them, in such case I be had and held for an impenitent relapsed, and submit myself to the correction and severity of the Sacred Canons, that on me, as a person found guilty of the said crime of heresy, the sentences and penalties contained in them be executed," etc. The doom of an impenitent relapsed is death, as is at once expressed.

*This does much against him that is afterwards an abettor and impeder.*

"He was cautioned to consider well what he had abjured; because if, failing so to do, he falls again into any heresy, he incurs the penalty of one relapsed, and shall be delivered over to the secular arm without any mercy; and the same if he does not keep what is contained in his sentence." After this caution he is abjured in form.

All persons dismissed from the prisons of the Holy Office are compelled to swear that they will keep secret all that has passed in their own case, and all that they have seen, known, heard, and understood in any way. Those who are delivered to the flames may be indulged with exemption from this oath, since death will close their lips.

Nothing more appears that would add to the statements already made in the present volume, in the Chapter on Laws and Customs, until we come to directions for

#### AN AUTO GENERAL.

"A Notary of the Secret, having the Cross carried before him, must say in a loud voice :—

"Lift all your hands, and each one say, *I swear to God and to Holy Mary*, and to this sign of the Cross, and to the words of the Holy Gospels, that I will be in favour, defence, and help of the Holy Catholic Faith, and of the Holy Inquisition, its officers and ministers, and will make manifest and discover all and whatsoever heretics, abettors, defenders, and concealers of them, disturbers and impeters of the said Holy Office; and that I will not give them favour or help, nor screen them, but, as soon as I know it, will make it known, and declare it to the said Lords Inquisitors; and if I do the contrary, may God call me to account, as He would him who knowingly commits perjury. Let all say, Amen."\*

"Form of the Oath which the Corregidores, and Regidores, and all other officers whatever of cities, towns, and places, where there is an office of the Holy Inquisition, take.

"We                      Corregidor of the city of                      and  
its Lieutenant, and                      and                      Regidores, and  
and                      Alguazils, by admonition and command of the Lords  
Inquisitors who reside in the said city, as true Christians, and  
obedient to the commandments of the Holy Mother Church,  
promise and swear by these Holy Gospels, and the true Cross  
which we have before our eyes, and touch with our hands, that  
we will keep the Holy Catholic Faith which the Holy Mother

\* Although not so said, it is evident that this ceremony takes place in an assemblage of the civil authorities of a city or province.

Church of Rome keeps and preaches, and that we will make all persons whatsoever who are subject to our jurisdiction hold and keep it, and will defend it with all our might against all persons who may attempt to impugn and contradict it, in such manner that we will persecute all heretics, and their believers, and their favourers, and defenders, and will take them and command them to be taken, and will accuse and denounce them before the Holy Mother Church, and before the said Lords Inquisitors, we being their ministers, if we have any knowledge of such persons.

“ ‘Also we swear and promise that we will not commit nor give in charge our lieutenancies, appointments to the office of alguazil, or other public offices of any kind that may be, to any of the said persons, nor to any others to whom it may be forbidden or imposed in penance by your Graces, or by any other Inquisitors whatever that have resided in this Holy Office, or in any other, nor to any persons whom the law, by reason of the said crime, forbids it; and if they already have such offices, I will not allow them to use them, but will punish and chastise them according to the laws of these kingdoms.

“ ‘Also we swear and promise that we will guard all the pre-eminences, privileges, exemptions, and immunities, given and granted to you, the said *Lords Inquisitors*, and to all other officers, ministers, and familiars of the said Holy Office; and we will make all other persons guard them.

“ ‘Also we swear and promise that whenever by you, the said Lords Inquisitors, or any one of you, we shall be *commanded to execute any sentence or sentences against any person or persons of the abovesaid*, we will do and fulfil it without any delay, according to the Sacred Canons and Laws that speak in such a case, and in the manner that they direct; and that as well in the abovesaid as in all other things that shall pertain to the Holy Office of the Inquisition, we will be obedient to God and to the Roman Church, and to you, the said Lords Inquisitors, and to your successors, to the utmost of our power: so may God help us, and these holy four Gospels which with our own hands we touch; and if we do the contrary, may God call us to account for it, as bad Christians who perjure themselves knowingly. Amen.’ ”

The first manuscript in the book contains forms for the examination of Protestants and Renegades to Mohammedanism, who spontaneously present themselves for reconciliation to the Church of Rome. These examinations are characterized by inquisitiveness rather than severity towards those who return. The Inquisitor sets his heart on getting as much information as

possible concerning the doctrines and practices of the Protestant "sect" at that moment represented in the person of the penitent. There is a note that the interrogations as to Protestants may be prolonged as far as the examiner sees good; and lest one pattern should not be suitable, a second is provided. If the returning penitent is a Spanish Protestant,

"He is asked whether he knows in these kingdoms of Spain if there are any who follow the said sect of his, or any other sect contrary to our Holy Catholic Faith, or who teach it to others, or who have books, or if he himself has any books belonging to that sect of his, or to any other. He said, etc."

The information thus obtained is forwarded to Madrid, there to be made full use of; and any who are caught by means of this volunteer "penitent" may be sure that, however the informer may be pampered, for them there will be no mercy.

The last six and a half pages of the "*Orden de Proccesar*" contain directions for examining papers that are seized, in order to ascertain whether they contain heretical propositions, or whether such propositions may by inference be drawn from them.

The Instruction for Commissaries of the Inquisition of Cordova relates to their particular duties. The Inquisitors of Seville made no use of it. It is clean, not soiled by use, and bears internal evidence of having been framed at a time when the civil power was not so deeply servile as the Council of the Supreme would have found it in the year 1628.

Under PRISIONES, or "Arrests," there is a manifestation of great caution, and solicitude for secrecy.

"The commissary cannot make arrests without special orders of the Tribunal, although he may have received full information of the offence. And only in case that there is fear of the escape or absence of the criminal, or if he is on a journey, or for other like cause, may the commissary call on the corregidor or alcalde, and tell him that it is for the service of God that, under some pretext, so that the Holy Office be not seen in the affair, he should make sure of the person and property of the criminal, until further orders."

It is intimated that the civil judge should find occasion for subjecting the person arrested to examination on questions not relating to the faith, whom he should keep in close custody, without the least communication with any other person.

"When they" (the commissaries) "make arrests by order of the Tribunal, they shall endeavour to effect them without stir, and with all the quiet and secrecy possible; for although they

cannot be unobserved, it gives more reverence to their proceedings if they be not known as ministers of the Holy Office; besides that, under bond of the oath which they have made, they cannot say they are. And if different persons are arrested, they shall place them separately in houses of ministers" (of the Inquisition), "where they cannot have communication with one another, nor have opportunity for writing to any one. And if there are no houses of ministers, or if the commissary has not confidence in any of them, he may place them in houses that he can trust, although they be not those of ministers."

Thence they must be transferred to the secret prisons of the Inquisition; and the Instruction tells the commissaries that, in every case, that familiar should be employed to whose number the service falls, without making any excuse; and says that it looks very bad that, while those who are not ministers sometimes offer their services with pleasure, and are thankful to serve the Holy Office, those who ought to do it by force of duty excuse themselves.

And further:

"It is very desirable that the business of the Holy Office be dispatched without noise or vainglory; and therefore the commissaries are commanded to inform the familiars that when they bring the said criminals to the prisons, they must endeavour to set out and to enter towns under the closest disguise, and, if possible, by night, or in the morning; and when they come to Cordova, they are commanded to enter the city at such hours; with a warning given them in the name of the Tribunal that this caution is of so great importance, that, if they do not observe it, proceedings will be taken against themselves."

And last of all:—

"The commissary shall recommend and command the persons who bear witness, or who call witnesses, or who take any part whatsoever in these affairs, to keep the same secret." "The commissary, in order to preserve the Secret, shall have a very good place of safe keeping for his papers, under lock and key, in such a manner that no person may see them. And, with regard to letters, when he receives letters from the Tribunal, he must return thither the originals, with an answer stating what he has done."

One may see how the hand inquisitorial trembled. And well might it tremble. It drops the keys. The safe keeping is at an end. The secrets of the prison house have come to light, and this *Cartilla* is among them.

A paragraph appended to the Cordovese Instruction requires "that a mass be said by each minister to whom this *Cartilla*

shall be delivered, on behalf of the Lords Inquisitors" (deceased) "and other defunct ministers of this Tribunal" of Cordova. Well might masses be said for men who departed under such heavy loads of guilt, if the suffrages of the faithful—as they say—could avail for their deliverance from dungeons even deeper and darker than their own.

## II.

### FORM OF ABJURATION (Page 95).

*"Form of preparing for an Abjuration to be made publicly.*

"... but the person to be abjured must come to the Church where it is determined by the Council (of the Inquisition) that he shall make his abjuration publicly; notice, however, having been first given in all the churches on the Sunday preceding, that all may be present on such a day at the Sermon which an Inquisitor will preach *concerning the Faith and for the Faith*. There must be placed in a suitable position near the altar, in the midst of the people, a high pulpit (*pinnaculum*), or platform (*posticum*), or scaffold (*cadafal*), with him who is to be abjured standing on it,—not sitting,—that he may be seen by all, having his head uncovered, and guards standing round him, when the Sermon is made at Mass, the people and clergy being there assembled. In the Sermon, that heresy for which he is brought to be abjured being impugned, the Inquisitor shall say publicly how he that is set there on high (*in alto bastimento positus*) has been suspected, by such and such indications and facts, of the heretical pravity refuted in the Sermon, and it is therefore fitting that he should clear himself of the suspicion, by abjuring it as one who is suspected *leviter*.\* When this has been said, the Book of the Gospels shall be put before him who will have to abjure, which being done, he shall lay his hand upon it, and abjure that heresy in the manner following.

*"Form of Abjuring a Heresy when the person delated is suspected leviter.*

"I, N—, of the diocese N—, inhabitant of the city or place N—, being brought for judgment before you, Lord bishop of the city N—, and Brother N—, Inquisitor of heretical pravity in the lands subject to the authority of the Lord (Bishop) of

\* Although *suspectus leviter* is "lightly suspected," the literal rendering would not adequately represent the sense.

N—, the Holy Gospels being set before me, and touched by me with my own hands, I swear that I believe in my heart, and profess with my mouth that Holy Catholic and Apostolic Faith which the sacred Roman Church believes, professes, preaches and observes. I also swear that I believe in my heart and profess with my mouth that the Lord Jesus Christ—*let the Catholic article against the heresy of which he is suspected leviter be expressed. For example if it is concerning possession personally or in common (de proprio vel communi) let him say thus:—*‘I swear that I believe in my heart, and profess with my mouth, that our Lord Jesus Christ and His Apostles, while they were in the present mortal life always had (*habebant et habuerunt*) some things in common, which the Sacred Scripture says they had, and that they had in them the right of giving, selling, and alienating.’ *And afterwards he shall abjure the contrary heresy, thus:—*‘And consequently I abjure, deny and revoke that heresy of which you have suspected me, my Lords Bishop and Inquisitor, which falsely asserts that our Lord Jesus Christ and His Disciples had not in any thing the right of giving, selling, or alienating. I also swear that I never believed the aforesaid heresy, neither do I believe it; I have neither held to it, nor do I hold to it now, nor will I ever believe it nor hold to it, nor have I taught it, nor do I mean to teach it. But if I do anything of the sort in time to come, which may God forbid, I so abjuring, do submit myself with a ready mind to the penalties of the law, ready to suffer all the penance which, for what I have said and done, for which you have justly had me in suspicion, you may be pleased to enjoin upon me, and to the utmost in my power I will endeavour to fulfil it, and will no more act in any way against it. So help me God, and these Most Holy Gospels.’

“And the abjuration aforesaid must be made in the vulgar tongue that it may be understood by all, which being done, the Inquisitor may address him publicly in the vulgar tongue these words, or others like them: ‘My son, the suspicion which we had of thee, and not without reason, thou hast removed by the abjuration now made, but for time to come thou must beware not to fall into this heresy thou hast abjured, for then, although if thou repentest, thou shouldest not be delivered to the secular arm, because thou hast abjured as one suspected lightly, and not vehemently; yet then thou wilt be punished much more severely than if thou hadst not abjured,—and indeed thou hast been within a very little of being suspected vehemently, and as such wouldest have abjured, and if thou fallest away again thou wilt suffer the penalty due to the relapsed, and be

delivered without mercy to the secular court, to be smitten with death (*ultimo supplicio feriendus*).'

"And if he abjures secretly in the Bishop's Palace, or in the Chamber of the Inquisitor himself, in which case the fact is not public, he shall make his abjuration in a similar manner, which being done, the sentence shall be pronounced in the same way.

"*The Form of Preparing to Abjure a Heresy—one who is suspected vehementer.*

"But if it is determined by the Council that he who is delated should abjure publicly in the Cathedral, or in any other most frequented church (*Solemni Ecclesia*), a few days before, on the part of the Bishop and Inquisitor, or for one of them, in all the churches of that city or place where the abjuration aforesaid is to be made, let it be publicly intimated to the people that on such a day and in such a church the Inquisitor has to deliver a general sermon on the Faith, and that there will be no sermon at the same time in that place, but there only, and therefore they ought to come and get the accustomed indulgence. And on the same day the Inquisitor shall notify to the monasteries that there must be no other sermons in that place, but his own only. Meanwhile let the Inquisitor be diligent in composing his sermon, forming it according to the matter on which it treats, for instructing the people concerning the truth of the Catholic Faith against that heresy which the person delated will have to abjure, and in framing the abjuration and the sentence in conjunction with the Bishop, or the Bishop's Vicar, of that city or place; and that also, late in the day, before the abjuration, he shall order that a seat be placed on high in the middle of the church, on which the person to be abjured shall be placed.

"And when the Sunday for making the abjuration arrives, and the time for hearing the sentence or imposing the penance, the Inquisitor shall deliver a general sermon, which being done, let the things of which the person to be abjured has been convicted, and other things on account of which he is vehemently suspected of heresy, be read publicly by a Notary, or by some Friar or Cleric. After this the Inquisitor shall say to him: 'Thou seest that, from what has been here recited, thou art vehemently suspected of such a heresy; wherefore it behoves thee to clear thyself, and abjure the heresy aforesaid.' Then the Book of the Gospels shall be set before the person to be abjured, who shall lay his hand upon it, and the Notary, or some religious person or Clerk, if he can read well enough,



shall read it deliberately, and the person to be abjured shall respond in a loud and clear voice after this manner: that is to say, following the Notary or the Monk—"I, such an one, of such a place;" and the other shall answer in the same words, always in the vulgar tongue, and in this way let the abjuration proceed, and the whole continue until it is finished, and he shall abjure after the tenor of the following." \*

Then follows a form of abjuration similar to the form above recited for the *suspectus leviter*. The other forms of abjuration *de violenti*, for the *diffamatus de hæresi*, and for the *deprehensus in hæresim, et alias non relapsus* are but the same forms varied just so far as necessary, but, after these, abjuration is no longer possible, and death comes without mercy.

### III.

#### SUBJECTS OF INQUISITORIAL JURISDICTION

(Page 111).

The Italian Inquisition had a sort of catalogue of persons against whom the Holy Office takes proceedings. The following is a translation of the document as I find it in the British Museum:—

"The cases are generally of five kinds, whereto correspond the crimes that come under the cognizance of this Holy Tribunal, namely, *First*, Formal heresy, and suspicion thereof. *Second*, The abetting of Heretics, and persons under suspicion of heresy. *Third*, Necromancy, magic, witchcraft, and enchantments (—*maleficii, stregarie ed incanti.*) *Fourth*, Heretical blasphemy. *Fifth*, Offence and resistance of the Holy Office. So the Holy Office proceeds against five sorts of persons.

#### 1. HERETICS.

"Heretics are they who speak, teach, preach, or write things against the Sacred Scripture.

"Against the Articles of Holy Faith.

"Against the most holy Sacraments and rites, or the use of them.

"Against the Decrees of the Holy Councils, and determinations made by the Supreme Pontiffs.

\* This is translated from ETMERICI *Directorium Inquisitorum*. Romæ, 1687, p. 486, seq.

“Against the sovereign authority of the Supreme Pontiff.

“Against the Apostolic traditions.

“Against Purgatory and indulgences.

“They who deny the Holy Faith, turning Turks, Hebrews, or entering other sects, and praising their observances, and living according to them.

“They who say that every one is saved in his own Faith.

### *Suspected of Heresy.*

“They are suspected of heresy who sometimes utter certain propositions which offend those who hear them, but make no explanation.

“They who, although they utter no words, do heretical actions, such as abusing the most Holy Sacraments, and especially the Consecrated Host, and Holy Baptism, baptising things inanimate, as the magnet, *calamita*, blank paper, beans, candles, and other such things.

“They who abuse Sacramental objects, such as the Holy Oil, Chrism, the Words of Consecration, Holy Water, Blessed Candles.

“They who whip or strike sacred images.

“They who possess, write, read, or give others to read books prohibited in the Index, and in our other particular Edicts.

“They who notably differ from the way of living common among Catholics, such as not going to confess, not going to communion once in the year, eating forbidden meats without necessity on the days appointed by Holy Mother Church, and such like.

## 2. ABETTORS OF HERETICS.

“Abettors of Heretics are they who defend, favour, and render help to those against whom the Holy Office is proceeding.

“They who, knowing any one to be a heretic, or fugitive from the powers of the Holy Office, or summoned thereby, give them lodging or hiding-place, give them counsel, or any other kind of help, that they may not get into the hands of the Holy Office.

“They who help those that are imprisoned to escape, or break prison, by giving them any instrument.

“They who, without license, speak with the prisoners, or advise them to conceal the truth, or write to them.

“They who impede the ministers of the Holy Office in the

execution of the duties committed to them, such as delivering of summonses to any one, or taking him to prison.

"They who trade with heretics, sending them goods, money, letters, or the like, or receiving anything from them.

"They who suborn witnesses to keep back the truth against any that are in the Holy Office.

"They who hide, steal, or burn processes, or other writings that belong to the Holy Office.

"They who, knowing heretics, or persons suspected to be such, do not report them to the Holy Office.

### 3. MAGICIANS, WITCHES, ENCHANTERS AND THE LIKE.

"Because such a sort of persons abound in many parts of Italy, and also beyond, there is so much the greater reason for being diligent; and therefore we must know that all they who have made any pact with the Devil, implicitly or explicitly, by themselves or by others, are to be so considered.

"They that have Devils in their keeping in rings, medallions, bottles, and other things.

"They who have given themselves over, in soul and body, apostatising from the Holy Catholic Faith, who have sworn to be . . . . ., or who have made a writing, even with their own blood.

"They who go to the Ball, or, as they say, *in strizzo*.

"They who practise evil art on creatures, reasonable or irrational, sacrificing to the Devil.

"They who worship him either explicitly or implicitly, offering him salt, bread, alum, *allume*, lard, *saino*, or other things.

"They who invoke him, asking of him favours, kneeling themselves down before him, lighting candles or other lights, calling him Holy Angel, White Angel, or Black Angel, or his Holiness, and such words, using the language of unmarried persons; or they make use of this enchantment;

*Cinque deti pongo al muro,  
Cinque diavoli scongiuro.*

I put five fingers on the wall,  
Five devils cast out one and all.

"They who ask things of him which he cannot give, such as to control the human will, to know things that will come to pass, being dependent on our own free will.

"They who, in these devilish acts, make use of sacred things,

as sacraments, or the form and matter of sacraments, and sacramental and blessed objects.

"They who set upon the altars where the Eucharist has to be celebrated, beans, blank paper (?), *carta virgine*, loadstone, *calamita*, or other things, that the holy Mass may be celebrated upon them.

"They who have, write, or say, prayers not approved, but rather reprobated by Holy Church, of the sort following, that is:—

"Prayers recited in order to get one's self loved with a dishonest love, such as the prayers of St. Daniel, of St. Martha, and of St. Helena.

"Prayers that are said for knowing things to come, or secret things, such as this—Angel Holy, Angel White, etc.; and this, Quiet Virgin, and the like.

"Prayers that contain strange names without any known meaning, and such characters as circles, triangles, etc., which people wear, either to get good will, or to be safe against the weapons of enemies, or to be kept from confessing the truth when under torture.

"Under the same head they also are included who possess writings concerning necromancy, and practise incantations, and deal in judicial astrology, in respect of actions which depend upon the human will.

"They who make *martelli*,\* and set on fire *pignatini*\* to produce passion, or to hinder the matrimonial act.

"They who toss the beans, *fave*, measure their arm by spans, *spanne*, make people go *attorno i sedazzi*,\* hold up their hands, or have them held up, to know what will come to pass, or what has happened, and other such-like sortileges.

#### 4. BLASPHEMERS.

"Although every blasphemy deserves severe punishment, the Holy Office only proceeds against such blasphemers as are called heretical, for speaking words which are against the truths contained in the Articles of Holy Faith; and in proportion as delinquents abound in these times, ought the judges to be vigilant. And in order to give some rules for knowing what blasphemies are heretical, and what are not, let them observe who are called heretical blasphemers.

"They who deny the titles given to God in the Creed, as

\* These are cant words which I do not understand.

when they deny His omnipotence, by saying, in contempt

\*  
“They who speak against the perpetual virginity of the Most Blessed Virgin, etc.

“They who utter words against the Holy Church, and her most holy Sacraments, such as—‘I renounce Baptism ;’ ‘I renounce the Faith,’ etc., and who speak against the glory of the canonized saints.

#### 5. RESISTERS OF THE HOLY OFFICE.

“Many of these are included under the head of *Abettors*, and for the present the following are named as examples of all the rest, against whom proceedings must be taken.

“They who offend the persons of the Holy Office; that is to say, the Inquisitors, Vicars, Notaries, Jailors, and other executors commanded by the Superior, whether the offence be in life, or property, or in reputation, or in any other respect soever, in action or in threat.”

“They who offend, or cause offence to informers, or to witnesses examined in the Holy Office, by words, by injury, or by threat.

“They who steal writings, or books, or any thing else from the Holy Office.

“They who tear up the Edicts of the Holy Office, that they may not be read, or remove them from the place where they are affixed.

#### *Hebrews and other Infidels.*

“Although Jews, Idolaters, Mohammedans, and Infidels of other sects are not ordinarily subject to the judgment of the Holy Inquisition, in many cases which are also expressed in the Bulls of the Supreme Pontiffs, they may be punished by the Holy Office.

“The Jews, if they were to deny those things of the Faith which are common to them and to us Christians, as that God is one, eternal, omnipotent, Creator of the Universe, and others of the same kind :

“If they were to invoke or consult devils, or do sacrifice to them, or offer incense, or make prayer, or perform any other act of reverence to them for any purpose whatever, and if they should teach and induce others to do the like :

\* Every one who is familiar with the language of people who have been born and brought up in Romish countries, know that the examples of heretical blasphemy given by the Italian Inquisitors are too horrible to be quoted, or even thought of.

"If they were impiously to say that our Saviour Jesus Christ was a mere man, or a sinner, and that His most holy Mother was not a Virgin, or any like blasphemy :

"If by any means they were to induce a Christian to deny the Holy Faith :

"If they were to prevent any Hebrew, or other Infidel who wished to become a Christian, or were to advise or induce him not to do so :

"If they were to possess, conceal, or suffer to be seen Talmudic or other condemned or prohibited Jewish books or prohibited Christian books, or magical writings, and other books or writings tacitly or expressly containing heresies, or errors against the Sacred Scripture of the Old Testament, or contumelies, impieties, blasphemies against God, the most Holy Trinity, Our Saviour, the Christian Faith, the most blessed Virgin Mary, the Angels, Patriarchs, Prophets, Apostles, and other Saints of God, against the most holy Cross, the Sacraments of the New Law, the Holy Catholic Church, the Apostolic See, and against the faithful, especially Bishops, Priests, and other ecclesiastical persons, or against the Neophytes who have been lately converted to the Holy Faith, or that contain immodest and obscene narratives :

"If they should make jest of Christians, and in despite of the passion of our Lord, in the Holy Week, or at any other time should crucify a lamb, a sheep, or any thing else :

"If they should have Christian nurses or women-servants, *(their case would be different)*

"And in like manner all the Chiefs and encouragers of heretics, of magic and enchanterers, and of offenders of the Holy Office, are subject to the Holy Office in all things contained above.

"The other Infidels may also be punished by the Holy Office for the said crimes above-named respectively."







